HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. WRIT PETITION No. - 4778 of 2022

Gabbar Singh Alias Devendra Pratap Singh Alias Rajesh Singh

.....Petitioner(s)

Versus

State Of U.P. Thru. Chief Secy., Gov. Of U.P. Civil Sectt And Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anu Pratap Singh, Sudhir Pande, Vinod Kumar Singh
Counsel for Respondent(s)	:	G.A.

Court No. - 11

HON'BLE ABDUL MOIN, J.
HON'BLE PRAMOD KUMAR SRIVASTAVA, J.

1. Heard learned counsel for the petitioner and Dr. V.K. Singh, learned Government Advocate assisted by Shri Shiv Nath Tilhari, learned A.G.A. appearing for all the respondents.

2. By means of the instant petition, the petitioner has prayed for the following reliefs:

> *"(i) a writ, order or direction in the nature of certiorari quashing the alleged Government Order dated 01.05.2017, as contained in Annexure No. 1 to the writ petition;*
>
> *(ii) a writ, order or direction in the nature of certiorari quashing the impugned order dated 06.06.2022, if any, passed by opposite party number 4 by means of which name of petitioner has been included in the list of Mafias after summoning the same;*
>
> *(iii) a writ, order or direction in the nature of Mandamus commanding the opposite parties to delete the name of the petitioner from the list of 'Bhoo Mafia' at State level without authority of law.*
>
> *(iv) a writ, order or direction in the nature of Mandamus commanding the opposite parties to provide appropriate compensation of maligning and disrupting the character, prestige, reputation, honour of the petitioner by including the name of the petitioner in the list of Bhoo Mafias created without authority of law.*
>
> *(v) a writ, order or direction in the nature of mandamus commanding the opposite parties to provide opportunity of hearing to the petitioner before taking any coercive action including seizure and demolition against the*

petitioner as Bhoo Mafia in pursuance to alleged Government Order dated 01.05.2017 as contained in Annexure No.1 to this writ petition.

(vi) any other suitable writ, order or direction which this Hon'ble Court may deem just, fit and proper in the circumstances of the case.

(vii) award the costs of the petition."

3. It emerges from the pleadings on record that the basic challenge in the instant petition is to the Government Order dated 01.05.2017, a copy of which is Annexure-1 to the petition, which though purportedly has been issued for the purpose of setting up of Anti-Bhoo Mafia Task Forces, yet also provides for identification of Bhoo Mafias, which task has been given to the District Level Task Force, with the State Level Task Force being entrusted with the task of reviewing such identification.

4. The grievance of the petitioner was that despite the said Government Order not containing any procedure for identification of a 'Bhoo Mafia', yet the petitioner has been designated as a Bhoo Mafia, which emerges from a perusal of the counter affidavit dated nil, sworn on 13.07.2023, filed by the Additional Chief Secretary (Revenue).

5. In paragraph 2 of the said affidavit, it has been indicated that the name of the petitioner has been included in the list of land mafias.

6. At this stage, learned Government Advocate fairly points out that in paragraph 4(iv) of the affidavit dated 17.03.2026 filed by the Principal Secretary, Department of Revenue, it has categorically been stated that the words 'land mafia' (Bhoo Mafia) were used erroneously instead of the word 'mafia' in the affidavit previously filed by the Additional Chief Secretary, Revenue Department.

7. Learned Government Advocate, on the basis of the said affidavit, states that the petitioner has not been designated as a 'Bhoo Mafia' or 'land mafia' and consequently the challenge raised to the Government Order dated 01.05.2017 is rendered redundant in all respects inasmuch as the petitioner cannot be said to be a person aggrieved by the said Government Order.

8. Learned Government Advocate has also invited the attention of this Court towards the letter dated 11.03.2026 as has been sent by the District Magistrate, Bahraich to the Special Secretary, Revenue Department, which has been filed as Annexure-1 to the affidavit dated 18.03.2026, in which also it has been indicated that no action has been taken against the petitioner in pursuance of the Government Order dated 01.05.2017 by treating him as a 'Bhoo Mafia'.

9. Upon the same being pointed out, learned counsel for the petitioner fairly states that keeping in view the aforesaid affidavit which has been filed by a responsible officer of the State, he is not pressing his challenge to the Government Order dated 01.05.2017.

10. Accordingly, the writ petition is dismissed as not pressed so far as it pertains to prayer no. (i), i.e. the challenge raised to the Government Order dated 01.05.2017.

11. The next issue with which this Court is now seized is the challenge which has been raised by the petitioner to he being designated as a mafia and his name having been included in the list of mafias.

12. An affidavit dated nil, sworn on 09.05.2026, which has been filed by the Superintendent of Police, District Bahraich, has an order dated 15.04.2026 annexed thereto as Annexure SCA-1, indicates that upon an application having been filed by the brother of the petitioner for removal of the name of the petitioner from the list of top 50 mafias, the said application has been rejected.

13. As already indicated above, the only issue which now remains is the designation of the petitioner as a mafia and the inclusion of his name in the list of top 50 mafias.

14. Learned Government Advocate prays for time to file an affidavit on the issue as to how the designation of a person as a 'mafia' is to be made, as to how the list of top 50 mafias is maintained, what is the procedure prescribed for the same and as to whether the said procedure has been followed while designating the petitioner as a mafia and including his name in the list of top 50 mafias.

15. Learned Government Advocate is granted two weeks' time to file an affidavit in this regard.

16. List thereafter.

November 26, 2026
Haseenuddin

(Pramod Kumar Srivastava,J.) (Abdul Moin,J.)

Digitally signed by :-
HASEENUDDIN
High Court of Judicature at Allahabad,
Lucknow Bench