

Court No. - 21

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1284 of 2025

Petitioner :- Kaif Hasan And 23 Others

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Ali Bin Saif

Counsel for Respondent :- C.S.C.,Shashank Shekhar Singh,Vibhanshu Vaibhav

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Anish Kumar Gupta,J.

1. The present petition in the nature of public interest litigation under Article 226 of the Constitution has been filed praying for a writ of mandamus commanding respondent no. 2, Municipal Commissioner, Nagar Nigam, Aligarh, not to interfere in possession of certain piece of land alleged to be owned by Aligarh Muslim University, Aligarh and to remove the placard placed by Nagar Nigam indicating its ownership over the same.

2. The petitioners are students of different courses of Aligarh Muslim University, Aligarh. The petitioners allege that certain land belonging to Aligarh Muslim University, Aligarh and in use by AMU Riding Club has been illegally taken over by Nagar Nigam, Aligarh and it has placed a placard over the said land mentioning that the property belongs to Nagar Nigam, Aligarh.

3. During course of hearing of the writ petition, the petitioners have filed a supplementary affidavit bringing on record the reply given by Aligarh Muslim University in response to a questionnaire under Right to Information Act to petitioner no. 1 wherein it is stated that as per available records with the University, no dispute is pending in any Court in respect of the land and that Aligarh

Muslim University, Aligarh acquired title over the same through land acquisition proceedings. In the writ petition nor in the supplementary affidavit filed during course of hearing, specific details of land in respect of which relief has been claimed, has not been disclosed except for filing a reply to RTI and a Khatauni. In the absence of specific pleadings in the writ petition as regards identity of the land, we do not consider it proper to express any opinion on the said issue.

4. Moreover, Aligarh Muslim University, Aligarh is a juristic person and it has at its disposal the best of legal advise and also resources to defend its property rights.

5. In view of above, we are not inclined to entertain the present PIL at the behest of students of law and other courses.

6. The petition is, accordingly, **dismissed**. However, we clarify that dismissal of the present writ petition should not be taken to be expression of any opinion regarding title of Nagar Nigam, Aligarh or Aligarh Muslim University, Aligarh over the subject land and in case, any such issue arises in any duly constituted proceedings, the same will be decided without being influenced by the instant order.

(Anish Kumar Gupta, J.) (Manoj Kumar Gupta, J.)

Order Date :- 21.5.2025

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