



2026:AHC-LKO:7530-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 12441 of 2025

Ram Nayan Pandey And 2 Others

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Revenue Deptt.
U.P. Lko. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Sanjai Kumar Pandey, Atul Tripathi
Counsel for Respondent(s)	: C.S.C.

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard.

2. Contention of petitioners' counsel is that the order dated 25th January, 2025 passed in Reference No. 2 of 2019 is not being complied only on the ground that though money has been deposited with the Special Land Acquisition Officer, Faizabad/Ayodhya, the same cannot be disbursed as there is no Additional District Magistrate (Land Acquisition) posted as yet, which according to him is impermissible. He further says that now Additional District Magistrate (Land Acquisition) has been posted at Ayodhya/Faizabad.

3. On the other hand, Standing Counsel says that an appeal has been preferred by the State albeit belated one bearing First Appeal (Defective) No.143 of 2025 therefore the amount is not being disbursed.

4. The counsel for the petitioners says that there is no interim order in the said appeal and in fact delay itself has not been condoned as yet.

5. The execution proceedings have been disposed of for the reasons mentioned in the order dated 06.10.2025. The only reason we are not expressing any opinion on the said order dated 06.10.2025 and disposal of these proceedings is the fact that it is not under challenge before us assuming that it could be so challenged otherwise much could be said about it.

6. We permit the petitioners to move an application for recall of the said order, if otherwise permissible or challenge it as per the procedure prescribed. If any such application for recall is filed, the Executing Court shall apply its due mind as to whether the reason given for disposal of the execution case was permissible in law for disposing it of and then take a decision. If a fresh application for execution is maintainable, the same can be filed, unless there is any legal impediment.

7. Disposed of.

(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

February 2, 2026
MVS/-