



2026:AHC-LKO:12277-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 1473 of 2026

Chhotelal

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Of
Revenue Lko. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ram Sagar, Avadhesh Mishra
Counsel for Respondent(s)	:	C.S.C., Ajay Kumar Singh Raj

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard learned counsel for the parties.

2. This petition has been filed seeking following main reliefs:-

"(I) A writ, order or direction in the nature of Mandamus commanding the opposite parties, more particularly opposite party no.4 to strictly obey and comply with the order dated 09.04.2003 passed by the Civil Judge (Junior Division), Kadipur, District Sultanpur in Civil Suit No. 167 of 2003 (Buddhu vs. Nagar Panchayat and others).

(II) A writ, order or direction in the nature of mandamus thereby directing the opposite parties, particularly Opposite Party No. 4 i.e. Executive Officer, Nagar Panchayat, to not to raise any construction or make any encroachment over the disputed land.

(III) A writ, order or direction commanding the opposite parties to stop and remove the illegal construction raised over the disputed land forthwith."

3. The petitioner has already referred an application under Order XXXIX Rule 2 C.P.C. for alleged violation of the temporary injunction dated 09.04.2003.

4. We see no reason to entertain a writ petition in such a matter, if the aforesaid proceedings are pending.

5. Accordingly, the writ petition is **disposed of** with liberty to the

petitioner to pursue the said proceedings in the pending suit.

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

February 17, 2026
Anuj Singh