



2026:AHC:21397

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 59 of 2026

Jooha Devi

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Devbratt Yadav, Ram Pratap Yadav
Counsel for Respondent(s)	: C.S.C., Rameshwar Prasad Shukla

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Supplementary affidavit filed on behalf of the petitioner is taken on record.
2. Heard Sri Akash Yadav, learned counsel, holding the brief of Sri Ram Pratap Yadav, learned counsel for the petitioner, Sri Rajesh Kumar Tiwari, learned Addl. C.S.C. for the state-respondents and Sri Rameshwar Prasad Shukla, learned counsel for the respondent-gaon sabha.
3. The instant writ petition has been filed for the following relief:-

"Issue a writ, order or direction in the nature of mandamus, commanding the Board of Revenue U.P. at Prayagraj to decide the stay application filed in Revision No. REV/85/2023 (Computer Case No.AL202315060085 (Jooha Devi v. State) under section 333 of U.P.Z.A and L.R. Act read with section 210 of U.P. Revenue Code 2006 in time frame without any further delay and till the stay application is decided the order sought to be challenged in revision may be stayed by the

Hon'ble court, in the better interest of justice, in the better interest of justice."

4. Counsel for the petitioner states that suit under Section 229-B of the U.P. Z.A. & L.R. Act filed by the petitioner was decreed by the trial court. He submitted that the private respondent has filed time-barred restoration application and the trial court has stayed the judgment and decree, without condoning the delay in filing the restoration application as well as without allowing the restoration application. He submitted that revision under Section 333 of the U.P. Revenue Code, 2006, filed by the petitioner, against the order dated 4.6.2021 passed by the trial court, staying the judgment and decree of the suit under Section 229-B of the U.P. Z.A. & L.R. Act along with stay application, is pending before the Board of Revenue, as such, appropriate direction be issued to the Board of Revenue to decide the pending stay application in the revision and till the stay application is decided by the Board of Revenue, the impugned order in revision be stayed.

5. Learned standing counsel and the counsel for the respondent-gaon sabha submitted that no interference is required in the matter as the revision filed on behalf of the petitioner in the year 2023 is still pending before the Board of Revenue, as such, the petitioner should contest the proceeding of revision rather the writ petition before this Court. He submitted that revision filed by the petitioner was dismissed in default at one point of time, as such, no interim protection is required, although, revision has been restored to its original number.

6. I have considered the arguments advanced by learned counsel for the parties and perused the records.

7. There is no dispute about the fact that revision along with stay application filed by the petitioner against the order, staying the judgment and decree of the trial court in the suit

under Section 229-B of the U.P. Z.A. & L.R. Act is pending before respondent no.2/Board of Revenue, U.P. at Prayagraj since 2023.

8. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2 to decide the aforesaid revision, as expeditiously as possible, preferably within a period of 2 months, from the date of production of a certified copy of this order before the authority concerned, after affording proper opportunity of hearing to the parties concerned, in accordance with law. It is further directed that all the pending applications in the revision shall be disposed of before deciding the revision on merit.

January 30, 2026

C.Prakash

(Chandra Kumar Rai,J.)