



2026:AHC:6927

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 2920 of 2025

Sanjay Kumar Gupta And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dharmendra Kumar Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 54

HON'BLE DINESH PATHAK, J.

1. Learned Standing Counsel, in pursuance of the order dated 06.08.2025 passed by this Court, has filed a copy of the instructions today in Court, which is taken on record. Office is directed to proceed accordingly.

2. Heard learned counsel for the petitioners, learned Standing Counsel and perused the record.

3. The petitioners have invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, inter alia, seeking the following relief:-

"(1) Issue, a writ, order or direction in the nature of mandamus commanding and directing the learned court below, respondent no. 3, Consolidation officer, Sadar District Ghazipur to decide the restoration application dated 7.2.2025 alongwith section 5 of Limitation Act filed by the petitioners under Section 9A(2) U.P. C.H. Act preferred against the order dated 1.4.1972 passed by Consolidation officer in Case no. 544/833 (State Vs. Vishwanath and others) under order 9A(2) U.P. C.H. Act, Mauza Sevrai, Pargana Zamaniya, District Ghazipur pending since 7.2.2025 and further be pleased to restrain the private respondent not to interfere in peaceful possession of the petitioners from the disputed Arazi and maintain status quo till the disposal of restoration application dated 7.2.2025 expeditiously if possible within stipulated period to be fixed by this Hon'ble Court."

4. Learned Standing Counsel has contended, on the basis of the instructions, that against the order dated 01.04.1972 passed by the Consolidation Officer, a highly belated restoration application has been filed on 07.02.2025. Thereafter, stay application has been filed on 18.08.2025. It is further submitted that 04.11.2025 was the date fixed in the restoration application.

5. Learned counsel for the petitioners submits that the main contesting parties are Gaon Sabha and the State, who are already represented through DDC(R). He further submits that the both the parties are present and the case is ready for final adjudication.

6. Learned Standing Counsel has no objection, in case, a direction is issued

for early disposal of the aforementioned matter.

7. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present writ petition, without making any observation on the merits of the case as mentioned in the present writ petition, with a direction to Consolidation officer, (respondent No. 3), before whom the aforementioned matter is pending disposal, to decide the same expeditiously, preferably, within a period of six months from the date of receipt of a certified copy of this order.

8. It is expected that it should be decided by a reasoned and speaking order, in accordance with law, after affording opportunity of hearing to the parties concerned without granting unnecessary adjournments to either of the parties.

9. Before parting with the matter, learned counsel for the petitioner has prayed for interim relief during the pendency of the restoration application.

10. Learned Standing Counsel has pointed out that an application for interim relief is already pending consideration before the Consolidation Officer.

11. In view of the above, it is expected that said application shall be decided expeditiously.

12. With the aforesaid direction, present writ petition is **disposed of**.

January 12, 2026
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(Dinesh Pathak,J.)