



2026:AHC:14536

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 1412 of 2026

Chhedi Singh

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rahul Pandey
Counsel for Respondent(s)	:	Akash Chaubey, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The petitioner has preferred the present petition with the prayer to direct the respondent No.3/Tehsildar, Tehsil Kasia, District Kushinagar to comply with the order dated 06.09.2025 passed by the respondent No.2/Sub Divisional Magistrate, Kasia, Kushinagar in the proceedings initiated under Section 134 of U.P. Land Revenue Code, 2006 being Case No.7771/2022 (Computerized Case No.T202205440407771) (Chhedi Singh Vs. Shyam Bihari and others).

2 It is argued by Sri Akash Chaubey, learned counsel appearing on behalf of Shyam Bihari that against the order dated 06.09.2025, statutory appeal being Appeal No.C202505000002327 (Shyam Bihari Vs. Chhedi Singh) has been filed by Shyam Bihari before the Commissioner, Gorakhpur Division, Gorakhpur and he placed photo-copy of the questionnaire before the Court. From perusal of the questionnaire, it appears that the petitioner has put his appearance in the aforesaid appeal by way of caveat and the next date fixed in the matter is 13.02.2026. It is argued that once statutory appeal has been filed against the order dated 06.09.2025 and the same is pending consideration, no relief could be granted to the petitioner as prayed for in the present petition. Apart from the same, it is argued that wholly illegally notice dated 16.10.2025 was issued by the respondent No.3 to Shyam Bihari to remove his possession over the plot in question which is liable to be set aside as the appeal has already been filed.

3. Though the present petition has not been filed by Shyam Bihari but taking into consideration the facts and circumstances of the case and

invoking the jurisdiction of Article 226/227 of the Constitution of India, respondent No.3/Tehsildar, Tehsil Kasia, District Kushinagar is being restrained to go ahead with the notice dated 16.10.2025 till the disposal of the appeal, copy of the same is appended as Annexure No.4 to the writ petition. A further direction has also been given to Commissioner, Gorakhpur Division, Gorakhpur to decide the aforesaid Appeal No.C202505000002327 (Shyam Bihari Vs. Chhedi Singh) has been filed by Shyam Bihari expeditiously but without granting any unnecessary adjournment to any of the parties unless there is no legal impediment.

4. With the aforesaid observations, the writ petition is disposed of.

(Prakash Padia,J.)

January 20, 2026

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