



2026:AHC:52325

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 1068 of 2026

Kayyum Hussain And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 20 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dharm Vir Jaiswal, Harsh Vikram
Counsel for Respondent(s)	:	C.S.C., Saurabh Tiwari

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1.Heard Mr. Dharm Vir Jaiswal, learned counsel for the petitioners, Mr. Saurabh Tiwari, learned counsel for respondent no.7 and learned Standing Counsel for the State-respondents.

2.The instant petition has been filed for the following relief:-

"(i). issue writ order or direction in the nature of mandamus commanding the respondent number 2 to decide the stay application dated 4/11/2024 in or along with Second Appeal number 4658 of 2024 Kayyum and others versus Ali Ahamad and others pending before the board of Revenue U.P. at Allahabad within such time as may be fixed by the honourable court"

3. Learned counsel for the petitioners submitted that the aforementioned second Appeal No.4658 of 2024 filed on behalf of petitioners arising out of suit under Section 144 of U.P.Revenue Coded, 2006 is pending before board of Revenue since 12.11.2024. He submitted that Second Appeal has not been admitted for last more than one year nor any interim order has been passed. He submitted that proper direction be issued for expeditious disposal of pending second appeal as well as stay application within time bound period. He further placed copy of the pending status of the proceeding, which has been annexed as Annexure No.10 to the writ petition in order to demonstrate that the case is not proceeding expeditiously. He submitted that during pendency of suit, interim injunction was granted by trial court.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally directing respondent No.2-Board of Revenue, U.P. Allahabad to consider the aforementioned second appeal No.4658 of 2024 for admission in accordance with law and pass appropriate order expeditiously and preferably within a period of **six weeks** from the date of production of certified copy of this order after giving opportunity of hearing to the parties. The prayer for interim relief shall be subject to the order passed on admission of the second appeal.

(Chandra Kumar Rai,J.)

March 16, 2026

PS*