



2026:AHC:52242

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 1056 of 2026

Smt. Manju

.....Petitioner(s)

Versus

Hukam Pal Singh And 11 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rahul Kumar Tyagi
Counsel for Respondent(s)	:	C.S.C., Sunil Kumar Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Sri Rahul Kumar Tyagi, learned counsel for the petitioner, Sri Muneshwar Singh, learned standing counsel for the state-respondents and Sri Sunil Kumar Singh, learned counsel for the respondent-gaon sabha.

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

"1. Issue an appropriate writ, order or direction for quashing the impugned judgement and order dated 04.09.2025, passed by Respondent No. 3 in Second Appeal No. 3908 of 2025, Computer Case No.AL20251117003908; Hukam Pal Singh Vs. Smt. Manju and others and entire proceedings of Second Appeal as well, arising out of the partition proceedings under Section 144 of U.P. Revenue Code, 2006.

2. Issue a writ, order or direction in the nature mandamus directing the respondents to decide the Second Appeal bearing Second Appeal No. 3908 of 2025, Computer Case No. AL20251117003908; Hukam Pal Singh Vs. Smt. Manju and Others as soon as possible within stipulated period of time."

3. Counsel for the petitioner states that suit under Section 144 of the U.P. Revenue Code, 2006, filed by the private respondents, was dismissed under Order 7 Rule 11 of the Civil Procedure Code on the

application filed by the defendant/petitioner. He further submitted that appeal filed before the Commissioner was also dismissed but the second appeal has been admitted in arbitrary manner as well as interim protection has been granted. He submitted that under order dated 4.9.2025, passed by respondent no.3/Board of Revenue, admitting the second appeal as well as granting interim protection be set aside and the Board of Revenue be directed to consider the second appeal for admission in proper manner.

4. Learned standing counsel and the counsel for the respondent-gaon sabha submitted that no interference is required against the order admitting the second appeal and granting interim protection in the matter. He submitted that petitioner should contest the proceeding of second appeal rather the writ petition against the order of admission.

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

6. There is no dispute about the fact that under the impugned order dated 4.9.2025, the second appeal filed by the private respondents, has been admitted and interim protection has been granted.

7. Considering the order of admission of appeal passed by the Board of Revenue, the interest of justice requires that the second appeal should be decided in accordance with law expeditiously.

8. Considering the entire 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.3/Board of Revenue, U.P. Prayagraj to decide the aforesaid second appeal, as expeditiously as possible, preferably within a period of 4 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.

March 16, 2026

C.Prakash

(Chandra Kumar Rai,J.)