



2026:AHC:55019

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 1124 of 2026

Ram Bahadur And Another

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Surendra Pal

Counsel for Respondent(s) : C.S.C., Kuldeep Johri, Sher Bahadur Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Learned counsel for the petitioners is permitted to implead all the parties, who were impleaded in the revision, in the array of the parties to the writ petition during course of the day.

2. Heard Mr. Surendra Pal petitioner no.3 in person who is advocate of this Court as well as on behalf of petitioner nos.1 & 2, Mr. T.P. Gupta, learned Standing Counsel for the State-respondents, Mr. Sher Bahadur Singh, learned counsel for the respondent- Land Management Committee and Mr. Kuldeep Johri, learned counsel for the respondent- Nagar Palika Parishad.

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

"1. to issue, a writ, order or direction in the nature of certiorari quashing the impugned judgment and order dated 18.2.2026 passed by the respondent no.2 in Case No. Rev/4000/2024 Computer Case No.AL20241256004000 Surendra Pal and others Vs. Ram Bahadur and others under section 333 U.P.Z.A. and L.R. Act (Annexure No.1 to this writ petition)."

4. Learned counsel for the petitioners submitted that the suit under Section 229-B / 176 of U.P.Z.A. & L.R. Act was decreed in part by the trial Court after framing issues and giving parties to lead evidence in accordance with law. He further submitted that issue nos.1 & 4 were decided by the trial Court recording finding of fact that patta of the plot in question was executed in favour of Raghubar Dayal in the year 1964 and

plaintiff- Raghubar Dayal is in possession over the same since the date of execution of patta in his favour. He further submitted that relief was sought in respect to the three plots but suit was decreed in respect to one plot only, accordingly, revision was filed and in revision the matter has been remitted back to the trial Court to consider the case of plaintiff in respect to all the three plots as no proceeding for cancellation of Patta has been initiated by the State or Gaon Sabha in proper manner. He further submitted that after remand order passed in revision, the suit has been dismissed in respect to all the three plots in arbitrary manner. He further submitted that the revision filed by petitioners along with others after death of Raghubar Dayal has been entertained and the same is pending. He further submitted that earlier writ petition filed before this Court was disposed of with direction to Board of Revenue to decide the pending stay application in revision within time bound period. He further submitted that in pursuance of the order of this Court, Board of Revenue has rejected the application for interim relief, hence this writ petition for granting interim protection during pendency of the revision before Board of Revenue.

5. Learned Standing Counsel, learned Counsel for Nagar Palika Parishad and learned Counsel for the Land Management Committee submitted that no interference is required against the order rejecting the prayer for interim relief during pendency of revision before the Board of Revenue. They further submitted that appropriate direction can be issued expeditious disposal for pending revision in accordance with law.

6. I have considered the argument advanced by learned counsel for the petitioners, learned Standing Counsel for the State, learned counsel for the Nagar Palika Parishad, learned counsel for the Land Management Committee and perused the records.

7. There is no dispute about the fact that the revision filed by petitioners is pending before Board of Revenue and prayer for interim relief has been refused.

8. It is material to mention that the suit filed by Raghubar Dayal was decreed at one point of time recording finding of fact that the lease was

executed in favour of Raghubar Dayal in respect to the plot in question in the year 1964 and they are in possession since then. It is also material to mention that after remand order passed in appeal filed by Raghubar Dayal himself for considering the matter for all the three plots regarding which the relief was claimed in the plaint, the suit has been dismissed by the trial Court for all the three plots.

9. In the facts and circumstances of this case, the interest of justice requires that pending proceeding should be decided by the Board of Revenue in accordance with law and till the disposal of the proceeding by the Board of Revenue, U.P. at Prayagraj, the parties may maintain status quo with respect to nature and possession of the plot in dispute.

10. Considering the facts and circumstances of the case, the instant writ petition is finally disposed of directing respondent no.2/ Board of Revenue, U.P. at Prayagraj to decide the aforementioned Revision No. Rev/4000/2024 Computer Case No.AL20241256004000 Surendra Pal and others Vs. Ram Bahadur and others, under Section 333 of U.P.Z.A. & L.R. Act filed by petitioners along with others, expeditiously preferably within a period of four months from the date of production of certified copy of this order. It is further directed that till the pendency of the revision before Board of Revenue the parties to the dispute shall maintain status quo with respect to nature and possession of the plot in dispute.

(Chandra Kumar Rai,J.)

March 18, 2026

Rameez