



2026:AHC:49493

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 983 of 2026

Santosh Kumar

.....Petitioner(s)

Versus

State Of U.P. And 8 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Jamwant Ram Maurya
Counsel for Respondent(s)	:	Bhupendra Kumar Tripathi, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Sri Jamwant Ram Maurya, learned counsel for the petitioner, Sri Awadhesh Kumar Patel, learned standing counsel for the state-respondents and Sri Bhupendra Kumar Tripathi, learned counsel for respondent-gaon sabha.

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

(A). To issue a writ, order or direction in the nature of certiorari to quash the proceeding u/s 67 of U.P. Revenue code-2006 pending before the Assistant Collector/Tehsildar /Respondent No. 4 during the pendency of proceeding u/s 28 of U.P.L.R. Act-1901 in which subject matter of Gata No. 784 Chak Marg along with Gata No. 781, 794, 796 and 792 are for correction of the map in the village Barai, Tehsil-Sadar, District-Varanasi.

(B) To issue writ, order or direction in the nature of mandamus, directing the Board of Revenue Prayagraj to decide the stay application along with Revision No. 1711 of 2025 Virendra Kumar and others Vs. Ravi Shanker and others, arising out of proceeding u/s 28 of U.P. Land Revenue Act-1901.

(C). To issue writ, order or direction in the nature of mandamus, directing the authorities concerned, i.e., Respondent No. 4, restraining to interfere in peaceful

**possession of the petitioner in proceeding u/s 67 of
U.P. Revenue Code-2006.**

3. Counsel for the petitioner states that proceeding initiated under Section 28 of the U.P. Land Revenue Act, 1901 (hereinafter referred to as the "U.P.L.R. Act") was decided in proper manner by the court concerned. He submitted that in revision before Commissioner, the matter has been remanded back to decide the matter under Section 28 of U.P.L.R. Act afresh, as such, petitioner has filed revision being Revision No.1711 of 2025 which is pending before respondent no.2/Board of Revenue, U.P. Prayagraj. He submitted that without final adjudication of dispute under Section 28 of the U.P. L.R. Act, proceeding under Section 67 of the U.P. Revenue Code, 2006 has been illegally initiated by the authorities. He submitted that appropriate direction be issued for the expeditious disposal of pending Revision No.1711/2025 and till the pendency of revision, the authorities may not interfere with the peaceful possession in respect to plot in question. He further submitted that proceeding initiated under Section 67 of the U.P. Revenue Code, 2006 should be quashed.

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

5. There is no dispute about the fact that revision filed by the petitioner against the remand order passed in revision by Additional Commissioner, arising out of the proceeding under Section 28 of the U.P.L.R. Act, is pending before respondent no.2/Board of Revenue.

6. So far as proceeding of case under Section 67 of the U.P. Revenue Code, 2006 is concerned, this Court has no jurisdiction to hear and decide the matter relating to stay/quashing the proceeding of Section 67 of the U.P. Revenue Code, 2006.

7. Considering the facts and circumstances of the case, taking into consideration the order dated 19.7.2005, passed in the proceeding under Section 28 of the U.P.L.R. Act, allowing the application filed by the petitioner, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2 to decide the aforesaid revision, as expeditiously as possible,

preferably within a period of 3 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. It is further directed that till the disposal of the aforementioned revision, respondents shall not interfere with the possession of the petitioner in respect to plot in question.

March 11, 2026
C.Prakash

(Chandra Kumar Rai,J.)