



2026:AHC:58648-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 10696 of 2026

Jagan Lal

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pooja Singh, Rajesh Yadav
Counsel for Respondent(s)	:	C.S.C., Vineet Pandey

Court No. - 21

HON'BLE MAHESH CHANDRA TRIPATHI, J.
HON'BLE KUNAL RAVI SINGH, J.

1. Heard Sri Rajesh Yadav, learned counsel for the petitioner; Sri F.A.Ansari, learned Standing Counsel for the State-respondents and Sri Shivam Verma holding brief of Sri Avneesh Tripathi, learned counsel for the respondent-U.P.Awas Evam Vikas Parishad.

2. The instant writ petition has been filed, inter alia, for the following principal reliefs:

"a) Issue a writ, order or direction in the nature of certiorari quashing the impugned notice dated 13.08.2025 (Annexure No. 3 to the writ petition) issued by the respondent no. 6.

b) Issue a writ, order or direction in the nature of mandamus commanding the respondent authorities not to interfere with the peaceful possession of the petitioner over the land bearing Khasra No. 71, situated at Village Shadi Nagar, Patti Chhote, Tehsil Sadar, District Rampur."

3. Learned counsel for the petitioner vehemently contended that the petitioner is a rightful owner of the land in question. In support of his submission, he has placed reliance upon the revenue entry and submits that the impugned notice is per se unsustainable. He further makes a statement at Bar that the disputed land is not an acquired land.

4. Per contra, learned counsel for the contesting-respondent has placed reliance upon the order dated 24.2.2026 passed by this Court in Writ-C No.

174 of 2026 (Inder Lal and another v. State of U.P. and 5 others), wherein the dispute relates to same Khasra No. 71 and the petitioner therein, namely, Inder Lal had already instituted Civil Suit No. 488 of 2020 (Inder Lal v. U.P.Avas Evam Vikas Parishad and others) before the competent Civil Court. It has been apprised to us that in the said proceeding, the 6-C application was rejected against which Misc. Appeal is stated to be pending consideration. In this backdrop, learned counsel for the respondent submits that as the competent civil court has considered the notice dated 13.8.2025 and rejected the claim of Inder Lal (supra) on the premise that the said aspect can be examined by the competent civil court as it was apprised in the said proceeding that against the rejection of 6-C application, misc. appeal was stated to be pending for consideration. Accordingly, the writ petition was dismissed by this Court vide order dated 24.2.2026 with an observation that the said order shall not prejudice the rights of the petitioners in pursuing and pressing their reliefs in the pending civil suit and connected appellate proceedings, which shall be decided on their own merits, in accordance with law, uninfluenced by any observation made therein. Learned counsel for the respondent in this backdrop precisely submits that once this Court has declined to entertain the notice dated 13.8.2025 in the aforementioned writ petition under the similar facts and circumstances, the instant writ petition is also liable to be dismissed.

5. Confronted with this, learned counsel for the petitioner submits that no doubt the petitioner has also instituted a civil suit for injunction wherein, till date in spite of notice, the respondent has not filed W.S. and 6-C application is yet to be decided by the competent civil court. On the other hand, the respondent without any right, title or claim has proceeded to issue the impugned notice. In case, no reprieve is accorded by this Court, the petitioner would suffer irreparable loss and injury.

6. Considering the facts and circumstances of the case, there is no reason to take a different view from the order passed in Inder Lal (supra). However, as the instant matter is distinguishable to the extent that 6-C application of the petitioner is yet to be decided by the competent Civil Court, we expect that the same shall be considered in accordance with law expeditiously and the relief as has been prayed for herein, the same may be pressed before the competent Civil Court.

7. With the aforesaid observations and direction, the instant writ petition stands disposed of.

(Kunal Ravi Singh,J.) (Mahesh Chandra Tripathi,J.)

March 20, 2026
A.K.Srivastava