



2026:AHC:28741

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 545 of 2026

Sakir Ali And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 11 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Chinta Mani, Rajeev Kumar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner and Sri Mridul Kumar, learned standing counsel for the state-respondents.

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

"a. Issue a writ, order or direction in the nature of MANDAMUS commanding the respondent No. 2 to consider and decide the stay application pending in Second Appeal No. 5861 2025 (Sakir Ali and others Versus Anis Mohammad and others) within the stipulated period as this Hon'ble Court may deem fit and proper under the facts and circumstances of the present case.

b. Issue a writ, order or direction in the nature of MANDAMUS commanding the respondent authorities specially the respondent No. 3 maintain status quo on spot in respect of Grata No. 18 situated in revenue village Pasnara Tappa, Gopalpur, Pargna Bansi Purab District Santkabir Nagar, deuring the pendency of the Second Appeal No. 5861 of 2025 (Sakir Ali and other Versus Anis Mohammad and others) before the Board of Revenue U.P. at Allahabad."

3. Counsel for the petitioners states that the second appeal filed on behalf of the petitioners, arising out of the suit for partition, is pending before the Board of Revenue. He submitted that the second appeal was heard on 8.1.2026 and the order was reserved but subsequently

the matter has been released by the concerned Member, Board of Revenue. He submitted that the private respondents are interfering with the possession of the petitioners in respect to the plot in question, as such, the interim protection is required in the matter. He submitted that the Board of Revenue be directed to decide the stay application in the aforementioned second appeal within a time bound period.

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

5. There is no dispute about the fact that the second appeal filed by the petitioners along with stay application is pending before the Board of Revenue but till date no order for admission on second appeal has been passed by the Board of Revenue.

6. Considering the 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.2/Board of Revenue, U.P. at Prayagraj to pass necessary order on the admission of the second appeal, as expeditiously as possible, preferably within a period of 3 weeks, 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 after admission of appeal, the prayer for interim relief shall be considered by the Board of Revenue subject to admission of second appeal in accordance with law in the aforementioned period.

February 10, 2026

C.Prakash

(Chandra Kumar Rai,J.)