



2026:AHC:39123

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 751 of 2026

Tirath

.....Petitioner(s)

Versus

Board Of Revenue U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashok Kumar Pandey
Counsel for Respondent(s)	:	C.S.C., Rameshwar Prasad Shukla

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Vakalatnama on behalf of respondent nos.4 and 5 is taken on record.
2. Heard Sri Ashok Kumar Pandey, learned counsel for the petitioner, Sri Rameshwar Prasad Shukla, learned counsel for the Land Management Committee, Sri Devesh Kumar Verma, learned counsel for the respondent nos.4 and 5 and Sri Hari Mohan Srivastava, learned Additional Chief Standing Counsel for the State-respondents.
3. The instant writ petition has been filed for the following relief:-

"I. Issue a writ, order or direction in the nature of mandamus commanding the respondent no.1 to decide the Revision No.4083 of 2023 Tirath Vs. State and others, with in stipulated period as fixed by court, and till the disposal of the revision, order dated 16.12.2025 passed by respondent no.1 be continue after setting-aside the order dated 27.01.2026 passed by respondent no.1 by issuance of certioraries, in the interest of justice."
4. Learned counsel for the petitioner submitted that one mutation proceedings initiated by the petitioner on the basis of sale deed executed on 16.6.1987 by Abdul Qayum is pending before the Sub Divisional Officer. He submitted that the private respondents, on the basis of subsequent sale deed executed in respect to the same plot in question as applied for mutation, which has been allowed by the mutation court. He submitted that the revision filed by the petitioner is pending before the Board of Revenue, U.P., Prayagraj since 2023. He further submitted that

in the aforementioned revision, interim order was passed on 18.12.2025 by the Board of Revenue staying the order of Naib Tehildar dated 07.10.2023. He further submitted that the Board of Revenue by subsequent order dated 27.01.2026 refused to extend interim order and fixed the matter for disposal. He submitted that the appropriate direction be issued for disposal of pending revision within time bound period and till disposal of the revision, interim protection granted by the Board of Revenue on 18.12.2025 be made operative.

5. On the other hand, Sri Devesh Kumar Verma, learned counsel appearing on behalf of the respondent nos.4 and 5 submitted that the revision filed by the petitioner in the year 2023 against the order of mutation is not maintainable as remedy of appeal is provided under Section 35(2) of the U.P. Revenue Code, 2006. He further submitted that the argument advanced by counsel for the petitioner that matter is pending before the Sub Divisional Officer is totally wrong as nothing is pending before the Sub Divisional Officer. He further submitted that the proceedings which is not maintainable, interim protection cannot be granted in that proceedings. He submitted that sale deed was executed in favour of the respondent nos.4 and 5 in proper manner by the recorded owner, as such, instant writ petition should be dismissed.

6. I have considered the argument advanced by learned counsel for the parties and perused the record

7. There is no dispute about the fact that the revision filed by the petitioner is pending before the Board of Revenue. There is also no dispute about the fact that one interim order was granted by the Board of Revenue on 18.12.2025, which has not been extended by the Board of Revenue under the order dated 27.01.2026.

8. The interest of justice requires that pending revision should be decided within time bound period and till the pendency of revision, interim protection granted by the revisional court be maintained.

9. Considering the entire facts and circumstances of the case, instant writ petition is finally **disposed of** directing the respondent no.1-Board of Revenue, U.P., Prayagraj to decide the aforementioned revision after

affording proper opportunity of hearing to the parties, expeditiously preferably within a period of six weeks considering the objection of respondent nos.4 and 5 regarding maintainability of the revision in proper manner. It is further directed that till the disposal of aforementioned revision, interim order dated 18.12.2025 granted by the Board of Revenue, shall remain in operation.

(Chandra Kumar Rai,J.)

February 20, 2026

Mini