



2026:AHC:39826

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 774 of 2026

Nikhat Parveen

.....Petitioner(s)

Versus

State Of U.P. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ajay Kumar Singh Yadav, Divyansh
Counsel for Respondent(s)	:	Arun Kumar Pandey, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Ajay Kumar Singh Yadav, learned counsel for the petitioner, Mr. Shailesh Srivastava, learned Standing Counsel for the State-respondents and Mr. Arun Kumar Pandey, learned counsel for the respondent- Gaon Sabha.

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

"I. Issue a writ order or direction in the nature of Mandamus pleased to command the respondent No. 2/The Board of Revenue, U.P. at Lucknow, to consider and decide the revision no. 5014 of 2025, Computerized Case No. R20251359005014 (Nikhat Parveen Versus Pradeep Kumar Gupta and others), U/s 210 of U.P. Revenue Code, 2006, filed on 11.11.2025, forthwith, within stipulated period as fixed by the Hon'ble Court.

II. Issue a writ order or direction in the nature of Mandamus command the respondents neither interfere in peaceful possession of the petitioner nor destroy and change the nature of land in question nor alienate the disputed property till the disposal of mutation case no. 1389 of 2024, computer case no. T202413590201389 (Nikhat Parveen Vs. Mohammad Salim), U/s. 34, U.P. Revenue Code, 2006, which is pending before the Tehsildar, Tehsil-Milak, Rampur."

3. Learned counsel for the petitioner submitted that the revision filed by petitioner under Section 210 of U.P. Revenue Code, 2006 is pending before respondent no.2 / Board of Revenue, U.P. at Lucknow since 11.11.2025. He further submitted that Tahsildar has passed an interim order on 4.10.2024 after hearing both the parties in the pending mutation

case but Commissioner has set aside the interim order dated 4.10.2024 passed by Tahsildar in ex-parte manner. He further submitted that the petitioner challenged the order of Commissioner in revision before Board of Revenue but no interim order has been passed by the Board of Revenue and subsequent purchaser are raising construction over the plot, as such, respondents be restrained from raising construction over the plot in question and Board of Revenue be directed to decide the revision in accordance with law expeditiously.

4. Learned Standing Counsel for State and learned Counsel for the Gaon Sabha submitted that the writ petition is not maintainable as revision filed by petitioner along with application for interim relief is pending before Board of Revenue, U.P. at Lucknow. They further submitted that the petitioner should press his pending revision rather writ petition before this Court.

5. I have considered the argument advanced by learned counsel for the parties and perused the records.

6. There is no dispute about the fact that the mutation proceeding is pending before Tahsildar. There is also no dispute about the fact that against the grant of interim protection in mutation proceeding revision was filed by private respondent before Commissioner which was allowed by Commissioner. There is also no dispute about the fact that revision filed by petitioner against the order of Commissioner is pending before the Board of Revenue.

7. Considering the entire facts and circumstances of the case coupled with the fact that proceeding relates to mutation under Section 34 of U.P. Revenue Code, 2006 which is pending before Tahsildar and revision filed by petitioner is pending before Board of Revenue, respondent no.2/ Board of Revenue, U.P. at Lucknow is directed to decide the aforementioned Revision no. 5014 of 2025, Computerized Case No. R20251359005014 (Nikhat Parveen Versus Pradeep Kumar Gupta and others), under Section 210 of U.P. Revenue Code, 2006, expeditiously preferably within a period of two months from the date of production of certified copy of this order. It is further directed that before deciding the aforementioned revision all

the pending applications shall be disposed of by respondent no.2/ Board of Revenue, U.P. at Lucknow in accordance with law.

8. The instant writ petition is accordingly ***disposed of***.

(Chandra Kumar Rai,J.)

February 23, 2026

Rameez