



2026:AHC:36321

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 587 of 2026

Ram Ji Pal And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashok Kumar Singh Bais
Counsel for Respondent(s)	:	C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Vakalatnama filed by Mr. Ram Lakhan Kashyap, Mr. Shivanshu Kashyap & Mr. Atif Ahmad, learned counsel on behalf of respondent no.3 is taken on record.

2. Heard Mr. A.K.S. Bais, learned counsel for the petitioner, Mr. Ram Lakhan Kashyap, Mr. Shivanshu Kashyap & Mr. Atif Ahmad, learned counsel for respondent no.3 and Mr. R.C. Srivastava, learned Additional Chief Standing Counsel for the State-respondents.

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

"1. issue a writ order or direction in the nature of mandamus directing the respondent no.2 to expedite and decide the the proceeding of Revision No. 5106 of 2024, Mahadev (died) and others Versus Mohammad Zaki and others pending before him within some specific period as this Hon'ble Court may deem fit and proper, So that justice may be done.

2. issue a writ order or direction directing the respondent no.3 not to raise construction over the land in question till disposal of the Revision No. 5106 of 2024 during the pendency of the aforesaid revision before the learned Board of Revenue U.P. At Allahabad, So that justice may be done."

4. Learned counsel for the petitioners submitted that the revision filed by petitioner is pending before the Board of Revenue which arises out of proceeding under Section 229-B of U.P.Z.A. & L.R. Act. He further submitted that appropriate direction be issued for expeditious disposal of

pending revision and till the disposal of the revision respondent no.3 be restrained from raising construction over the plot in question.

5. On the other hand, Mr. Ram Lakhan Kashyap, learned counsel appearing on behalf of respondent no.3 submitted that in pursuance of the order of Commissioner Court, the suit under Section 229-B of U.P.Z.A. & L.R. Act has been decided on merit by the trial Court and appeal filed by petitioner is pending before Commissioner, as such, injunction as prayed by petitioner cannot be allowed rather petitioner can apply for relief, if any, in pending appeal. He further submitted that the revision filed by petitioner has become infructuous as the suit has been decided on merit by the trial Court.

6. In reply, learned counsel for the petitioner submitted that the revision has not become infructuous rather the same requires decision on merit, as such, the prayer made by the petitioner in the instant petition should be allowed.

7. Considering the entire facts and circumstances of the case, the instant petition is finally ***disposed of*** the directing respondent no.2/ Board of Revenue, U.P., Prayagraj to decide the aforementioned revision by the next date fixed in the revision i.e. 24.2.2026 or within one month from the date of production of certified copy of this order in accordance with law.

(Chandra Kumar Rai,J.)

February 18, 2026

Rameez