



2026:AHC:30857

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 5523 of 2026

Jan Sewa Purva Madhyamik Shiksha Sansthan

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Purushottam Mani Tripathi
Counsel for Respondent(s)	:	C.S.C., Sudhir Bharti

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Heard learned counsel for the parties and perused the records.
2. The petitioner has preferred present writ petition inter-alia with the following prayers :-

"(a) Issue a writ, order or direction in the nature of mandamus commanding the respondent authorities, particularly the respondent no.2/ Collector, Gorakhpur, to forthwith execute and give full effect to the demarcation order dated 14.08.2008, as affirmed by the order dated 27.10.2023 passed in Case No. 161 of 2007 (Jan Sewa Purva Madhyamik Shiksha Sansthan vs. Gram Sabha and others) under Section 41 of the U.P. Land Revenue Act, 1901 or the corresponding Section 24 of the U.P. Land Revenue Code, 2006, by removing the encroachment, completing the demarcation strictly in accordance with law, and handing over actual physical possession of the land comprised in Gata No. 67M, Khata No. 91, Village-Tilsar, Tehsil-Gola, District-Gorakhpur to the petitioner, within such time as may be fixed by this Hon'ble Court."

3. It is argued by counsel for the petitioner that respondent no.2-Collector, Gorakhpur, has passed the order dated 27.10.2023 but the same has not been complied with.
4. Coordinate Bench of this Court in bunch of writ petitions being leading **Writ C No.35470 of 2025 (Meena Devi vs. State of U.P. and 5 others)** decided on 18.12.2025, certain directions were given in paragraph nos.44 to 46 which reads as follows:-

"44. Section 24 of the UP Revenue Code, 2006 vests the SDO with statutory quasi-judicial powers for summary settlement of boundary disputes coupled with mandatory enforcement authority for demarcation and possession restoration. Execution is not discretionary but integral to the provision's efficacy—failure to enforce renders the entire summary mechanism otiose and defeats the legislative intent. The broad guidelines formulated aim at providing for a structured framework harmonizing statutory mandates (Section 24 of Code, 2006; Rule 22 of Rules, 2016), executive instructions (Government Order dated 16.12.2025), administrative law principles, and constitutional imperatives of fairness and public order. The concerned respondents, in particular the SDO and Collector, are under law bound to ensure that orders under Section 24 are effectively enforced.

45. The Secretary, Department of Revenue, State of Uttar Pradesh, shall ensure statewide circulation of aforesaid guidelines to all revenue authorities within the State. A mechanism for providing mandatory training and RCCMS protocol compliance may also be ensured.

46. The respondents, particularly the concerned SDOs are directed forthwith to execute all subject orders in the instant batch of writ petition, within four weeks from the date of production of a certified copy of this order, strictly as per approved site memo/demarcation report, by ensuring affixation of boundary marks and also possession restoration, wherever required. "

5. In this view of the matter, present writ petition is disposed of finally directing the Respondent No.2 to comply with the order dated 27.10.2023, strictly in accordance with law as well as observations made in the case of **Meena Devi (Supra)** as quoted above.

(Prakash Padia,J.)

February 11, 2026
Pramod Tripathi