



2026:AHC:14685

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 549 of 2026

Dayashankar Yadav

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Abhishe Pandey
Counsel for Respondent(s)	:	C.S.C., Sudhir Bharti

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. It is argued that inspite of the injunction granted in favour of the plaintiff-petitioner on 26.05.2015 in original Suit No.541 of 2012, an order dated 23.12.2025 was passed by the District Magistrate, Deoria.
2. It is argued that mandamus be issued directing the authorities not to change the possession over the Gata No.248, Area-0.020 hectare out of Area-0.137 hectare situated at Village- Karmel, Banrahi, Tehsil- Rudrapur, District-Deoria.
3. From perusal of the record it is clear that after the order dated 23.12.2025, an objection was filed by the petitioner on the same date and another order was passed by the Chief Revenue Officer, Deoria, on 24.12.2025 by which a report was called for by him by the Sub Divisional Officer.
4. It is argued that taking shelter of the order dated 23.12.2025 now the Revenue authorities are trying to dispossess the petitioner.
5. Heard counsel for the parties and perused the record.
6. Though an argument has been raised by the counsel for the petitioner that an interim injunction was granted in the suit in question in favour of the plaintiff-petitioner on 26.05.2015 but no such documents whatsoever has been appended in the entire writ petition.
7. Apart from the same, it is clear from perusal of the record that civil suit

is still pending consideration.

8. In this view of the matter, the Court is of the opinion that in case the petitioner is aggrieved against any action of the authorities, he is free to move an application in the pending suit. No relief could be granted as prayed for in the present writ petition.

9. Accordingly, the writ petition is dismissed.

10. After the aforesaid order has been passed, a prayer has been made by the counsel for the petitioner to dismiss the present petition as not pressed.

11. Since the writ petition is heard on merit at least 15 minutes, the prayer is rejected.

(Prakash Padia,J.)

January 21, 2026

Swati