



2026:AHC-LKO:21812

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

MATTERS UNDER ARTICLE 227 No. - 1189 of 2026

Patel Adarsh Vidya Shikshan Sansthan
Thru. Founder President Surat Singh And AnotherPetitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt.
Institutional Finance Lko. And 4 OthersRespondent(s)

Counsel for Petitioner(s) : Shiv Lal Yadav, Aditya Narayan
Yadav, Pooja Jaisawar
Counsel for Respondent(s) : C.S.C.

Court No. - 5

HON'BLE ALOK MATHUR, J.

1. Heard Sri Aditya Narayan, learned counsel for the petitioner as well as learned Standing Counsel for respondent nos. 1 to 3.
2. In the light of proposed order notice to private respondents is dispensed with.
3. It has been submitted by learned counsel for the petitioner that the petitioner is a society duly registered under the Societies Registration Act in the name and style of Patel Adarsh Vidya Shikhan Sansthan. It is submitted that the said society is running four schools/colleges.
4. It is next submitted by learned counsel for the petitioner that an application was filed by the Manager of the two Institutions run by the petitioner society before the District Judge, Hardoi seeking permission to sell part of the property and further submits that the proceeds of the said sale would be utilized by them for purchase of another land on which educational institution shall be constructed.
5. Considering the aforesaid application, the District Judge, Hardoi by means of order dated 25.01.2024, had allowed the application and had granted permission to the petitioner institution stating that they would be permitted to sell the land, but, put condition that the said land would not be sold to any of the office bearers of the petitioner society nor any one

related to them.

6. It was further provided that the sale consideration would not be less than Rs.25,00,000/- and the said consideration would be deposited in a Nationalized Bank. As per condition no. 4, proceeds of the said sale can be utilized to purchase land of Gata No. 419, area 0.3160 hectares and in case sale consideration is more than Rs.25,00,000/- then remaining part of the sale consideration would be re-invested which would be utilized for managing the institutions run by the petitioner society.

7. Learned counsel for the petitioner has assailed the order dated 25.01.2024, stating that in pursuance of the direction of the District Judge, the land of the society has been sold but the proceeds of the same have not been deposited in the Nationalized Bank nor subsequent consideration have been utilized for purchase of the land, and it is on this ground the petitioner seeks to assail the impugned order.

8. When a pointed query has been made to the petitioner whether he is aggrieved by any of the condition laid down by the District Judge, it has submitted that he is not in any manner aggrieved by the order of the District Judge, but submits that the order deserves to be complied with in letter and spirit and the Manager of the Institution should be put to terms to deposit the sale proceed in the account opened in a Nationalized Bank and subsequently, the land situated at Gata No. 419 should be purchased and which would be utilized for the benefit of the petitioner Society.

9. From the aforesaid submissions it is noticed that in fact what the petitioner is seeking in the present case is with regard to execution of order dated 25.01.2024 and in fact he does not have any grievance against the said order.

10. Considering the aforesaid this Court is of the considered view that in the aforesaid circumstances it will be open for the petitioner to get the order dated 25.01.2024 executed before appropriate forum/authority/Court. Such execution cannot be done in exercise of power under Article 227 of the Constitution of India.

11. Accordingly, subject to the liberty granted herein above, this Court

does not find any ground for interference in the matter.

12. Accordingly, present writ petition being devoid of merit is **dismissed**.

(Alok Mathur,J.)

March 26, 2026

A. Verma