



2025:AHJ-1 KO:85564-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 11568 of 2025

Smt. Priti Kumari

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Of
Home And 8 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ajay Sharma
Counsel for Respondent(s)	:	C.S.C.

Court No. - 2

**HON'BLE MRS. SANGEETA CHANDRA, J.
HON'BLE AMITABH KUMAR RAI, J.**

1. We have heard learned counsel for the petitioner, learned Standing Counsel for the State Respondents and Sri Alok Kirti Mishra, learned counsel appearing for the opposite parties no. 8 & 9.

2. This writ petition has been filed with the following main prayers:-

"1-Issue a writ, order or direction in the nature of mandamus commanding the respondent police authorities not to interfere in the civil dispute between the petitioner and opposite party nos. 8 and 9 and further restrain them from preventing the petitioner from raising construction over the land in question. situated at Village Baghaura, Pargana Pratapganj, Tahsil-Nawabganj, District Barabanki in absence of any order passed by a competent learned civil court.

2- Issue a writ, order or direction in the nature of mandamus directing the respondent police authorities to refrain from acting upon or entertaining any frivolous complaints lodged by opposite party nos.8 and 9 relating to the plot in question, unless there is a specific order passed by the competent learned civil court."

3. It has been submitted by learned counsel for the petitioner that the Police in collusion with the respondent no.8 & 9 are stopping the petitioner from making construction over land, which has been duly bought through a registered sale deed.

4. Learned Standing Counsel for the State Respondents has produced before this Court instructions sent by the Sub-Inspector of Police, Police Station-Safdarganj, District- Barabanki dated 28.11.2025 wherein it has been stated that the respondents no. 8 & 9 and the petitioner is quarreling about possession of land for which the respondents no. 8 & 9 have also filed Civil Suit No. 1221 of 2025, which is pending in the Court of Civil Judge (Junior Division), Court No. 13, Barabanki. The next date fixed in the matter is 22.01.2026. The Police had only gone to the plot in question because of a complaint being received that there was a likelihood of breach of peace. Case Crime No. 557 of 2025 under Section 324(4)/352/351(2) of the BNS has also registered against the accused persons i.e. the petitioner Smt. Priti Kumari as well as Surendra and Satyam Kumar and investigation is being carried out. Proceedings were also initiated under Section 126/135 of the BNSS on 09.11.2025.

5. The written instructions are kept on record.

6. Learned counsel for the respondents no. 8 & 9 has stated that despite summons, objections have not been filed by the petitioner in the aforesaid Civil Suit.

7. Accordingly, this writ petition is ***disposed of*** with a direction to the petitioner to approach the learned Trial Court where Regular Suit No. 1221 of 2025 is pending and file its objections to the application for temporary injunction before the next date fixed.

(Amitabh Kumar Rai,J.) (Mrs. Sangeeta Chandra,J.)

December 18, 2025

Darpan Sharma