HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 29465 of 2026

Noori Khatoon

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Aditya Upadhyay, Ambrish Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Ambrish Pandey, learned counsel for the petitioner and Mr. Om Anand, learned Standing Counsel for the State.

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

"a) a suitable writ, order or direction in the nature of mandamus commanding/directing the respondent nos. 2, 3, 4 and 5 to forthwith comply with, implement and enforce the orders dated 22.06.2026 (Patrank 267/S.T. S.D.M.) and dated 13.07.2026 passed by the respondent no. 3, and to secure the peaceful possession of the petitioner over the property bearing Abadi Sankhya 0262/Gata Sankhya 262, situated in Mauza- Badagaon, Tehsil-Ghosi, District- Mau, admeasuring 21.5 feet in width and 72.5 feet in length, total area 35.8 kadi, along with the house standing thereon.

b. a suitable writ, order or direction in the nature of mandamus commanding/directing the respondent nos.2, 3 and 4 to consider and decide the undecided representations dated 20.07.2026 moved by the husband of the petitioner, by a reasoned and speaking order, within a time bound period as may be fixed by this Hon'ble Court, otherwise the petitioner shall suffer irreparable loss and injury.

C. a suitable writ, order or direction in the nature of mandamus commanding/directing the respondent nos. 2, 3, 4 and 5 not to permit any

interference with the peaceful possession of the petitioner over the aforesaid property by any private person, save and except in accordance with due process of law."

3. Learned counsel for the petitioner submitted that the original suit no.97 of 2026 has been filed on behalf of petitioner which is pending before Civil Judge, Senior Division, Mau. He further submitted that interim injunction has been granted in the aforementioned suit, accordingly, petitioner filed an application before revenue authorities for demarcation. He further submitted that in pursuance of the application filed on behalf of the petitioner, revenue team was constituted but further steps has not been taken by the revenue team hence respondent nos.2 to 5 should be directed to enforce the order dated 22.6.2026/ 13.7.2026 in respect to the plot in question. He furthers submitted that respondent nos.2 to 4 should be directed to decide the petitioner's representation dated 20.7.2026 as well as respondent-authorities should be restrained from making any interference with the peaceful possession of the petitioner in respect to the aforementioned plot in question.

4. Learned Standing Counsel for the State submitted that the civil suit filed by petitioner is pending and interim injunction is operating, as such, petitioner should pursue the suit proceeding before the civil Court rather writ petition for mandamus before this Court.

5. I have considered the argument advanced by learned counsel for the parties and perused the records.

6. There is no dispute about the fact that the civil suit filed on behalf of petitioner in respect to the plot in question is pending before civil Court and interim injunction is operating as mentioned in para no.17 of the instant writ petition.

7. In view of the aforementioned facts and circumstances of the case, petitioner should pursue the remedy in the pending civil

suit rather writ for mandamus to restrain the authorities from making interference in the peaceful possession of the petitioner.

8. The writ petition is ***disposed of*** with liberty to petitioner to pursue the remedy in the pending civil suit if there is any disobedience of the interim order passed in the aforementioned civil suit in accordance with law.

October 24, 2026
Rameez

(Chandra Kumar Rai,J.)

Digitally signed by :-
RAMEEZ AHMED
High Court of Judicature at Allahabad