2026:AHC:226962

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 30984 of 2026

Lal Sahab

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Arvind Kumar Yadav
Counsel for Respondent(s)	:	Bhupendra Kumar Tripathi, C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Arvind Kumar Yadav, learned counsel for the petitioner, Mr. Shridhar Tripathi, learned standing counsel for the state-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the respondent-gaon sabha.

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

> **"Issue a writ, order or direction in the nature of mandamus, directing the respondents, especially respondent no.3/Deputy District Magistrate (Judicial), Shahganj, District Jaunpur to ensure the implementation (execution) of the order dated 24.2.2026 and decree dated 7.3.2026 passed in RST No.2244 of 2025 on the consent of the parties on the spot."**

3. Counsel for the petitioner submitted that in spite of the final judgment/order/decree dated 24.2.2026/7.3.2026 passed in the proceeding under Section 116 of the U.P. Revenue Code, 2006, the order has not been given effect. He submitted that appropriate direction be issued to the authorities concerned for implementation of the judgment/decree dated 24.2.2026/7.3.2026 passed in the proceeding under Section 116 of the U.P. Revenue Code, 2006.

4. On the other hand, learned standing counsel for the State and the learned counsel for the Gaon Sabha submitted that, appeal at the instance of the private respondents, is pending before the appellate court. They further submitted that the instant writ petition for

implementation/execution of the order passed in the proceeding under Section 116 of the U.P. Revenue Code, 2006 is not maintainable.

5. I have considered the arguments advanced by learned counsel for the petitioner, State, Land Management Committee and perused the records.

6. There is no dispute about the fact that in the proceeding under Section 116 of the U.P. Revenue Code, 2006, the judgment/order/decree dated 24.2.2026/7.3.2026 has been passed by the trial court.

7. So far as the execution/implementation of the order passed in the proceeding under Section 116 of the U.P. Revenue Code, 2006, is concerned, the parties should initiate proper proceeding as provided under the Code and the Rules framed thereunder rather miscellaneous application before the authorities.

8. Considering the facts and circumstances of the case, the instant writ petition is disposed of with the liberty to the petitioner to initiate proper proceeding for execution of the judgment/order/decree passed in the proceeding under Section 116 of the U.P. Revenue Code, 2006 in accordance with law.

(Chandra Kumar Rai,J.)

November 2, 2026
C.Prakash

Digitally signed by :-
CHANDRA PRAKASH
High Court of Judicature at Allahabad