2026:AHC:227016

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 30994 of 2026

Ram Sanehi And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Devendra Kumar Tiwari, Dinesh Kumar Pandey
Counsel for Respondent(s)	:	Achal Singh, C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Sri Dinesh Kumar Pandey, learned counsel for the petitioners, Sri Dinesh Kumar Tiwari, learned standing counsel for the state-respondents and Sri Achal Singh, learned counsel for the respondent-gaon sabha.

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

> **"A writ in the nature of mandamus, commanding the respondents not to dispossess the petitioners from the land in dispute, Gata No.532/0.2260 hect. (Khata No.635), situated in Village Kuwan, Pargana and Tehsil Charkhari, District Mahoba, till the disposal of the Title Suit No.955/2026 (Computerized Case No.T202607480200955) (Ram Sanehi and Another vs. Sarkar and Another), under Section 144 of the U.P. Revenue Code, 2006 within the stipulated period."**

3. Counsel for the petitioners submitted that plot no.532 is recorded as *navin parti* in the records. He submitted that the petitioners' construction is situated in plot no.532 since long. He submitted that suit under Section 144 of the U.P. Revenue Code, 2006, filed on behalf of the petitioners in respect to plot no.532, area 0.2260 hect., is pending before the Sub Divisional Officer as Case No.955/2026 (Computerized Case No.T202607480200955). He submitted that the authorities are issuing notice to the petitioners to vacate the plot in question in illegal and arbitrary manner. He submitted that authorities

should be restrained from interferring with the possession of the petitioners as suit for declaration in respect to the plot in question at the instance of the petitioner, is pending before respondent no.2.

4. I have considered the arguments advanced by learned counsel for the petitioners and perused the records.

5. There is no dispute about the fact that plot no.532 is recorded as *navin parti* in the records and the suit for declaration of right at the instance of the petitioners in respect to plot no.532 is pending before respondent no.2 since 2026.

6. Considering the facts and circumstances of the case, the interest of justice requires that the pending suit under Section 144 of the U.P. Revenue Code, 2006 in respect to plot no.532 should be decided expeditiously.

7. It is material to mention that petitioner can apply for interim injunction under Section 146 of the U.P. Revenue Code, 2006 in the in the pending suit rather miscellaneous application before the authorities.

8. Considering the entire facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2/Up Ziladhikari, Charkhari, Mahoba to decide the aforesaid suit, as expeditiously as possible, preferably within a period of 10 months, from the date of production of a certified copy of this order before the authority concerned, after framing issues and affording proper opportunity to the parties concerned to lead evidence, in accordance with law.

(Chandra Kumar Rai,J.)

November 2, 2026
C.Prakash

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