2026:AHC:209273-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 34199 of 2026

Narendra Singh

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Raja Ullah Khan
Counsel for Respondent(s)	:	C.S.C., Devraj Rajvedi, Sher Bahadur Singh

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Court No. - 1

HON'BLE AJIT KUMAR, J.
HON'BLE GARIMA PRASHAD, J.

1. Heard Mr.Raza Ullah Khan, learned counsel appearing for the petitioner; Mr. P.K.Shahi, learned Additional Chief Standing Counsel for the State-respondents, Mr. Sher Bahadur Singh, learned counsel appearing for the Gaon Sabha and Mr. Devraj Rajvedi, learned Advocate put in appearance on behalf of some Ramleela Committee, who organises and manages Ramleela over the land across the chak road.

2. Petitioner is aggrieved by the act and conduct the authorities in restraining the petitioner from opening an entry on the chak road adjacent to which the new constructed shops of the petitioner are situated.

3. Mr. Khan submits that the petitioner had his grove land but since fruit trees got dried up and the land was lying vacant, the petitioner got constructed the shops in question. It is further contended that the Ramleela Committee that organises Ramleela across the chak road upon a different land, has nothing to do with the land of the petitioner and there is already an order operating in his favour passed by the Sub Divisional Magistrate protecting his possession. However, according to him whenever he tries to open an entry upon the chak road, certain elements do come on the road, sit on dharna staging protest and just for that reason that revenue authorities and district administration are not permitting the petitioner to open an entry.

4. Mr. Shahi, learned Additional Chief Standing Counsel submits that he

has received the instructions as per which there was 100 years old wall standing in front of the shops, which was demolished and to contain law and order situation that arose on the spot that the district administration had to reconstruct the wall. He has also appended hand sketched map of the spot survey done and we find that the map is duly verified by the revenue authority.

5. Mr. Rajvedi, learned Advocate appearing for the Ramleela Committee has strong objection to the language and expression used by the petitioner in the petition addressing the people belonging to Ramleela Committee as Right Hindu Wing and submits that such words and expression in pleadings should not be permitted to be levelled against any group of person or community or people, may be they are connected with the Ramleela events. However, he could not dispute that the Ramleela is being organised across the chak road upon a different land and it has nothing to do with the land of the petitioner.

6. Mr. Sher Bahadur Singh, learned counsel for the Gaon Sabha has adopted the neutral approach as the chak road is already existing there on the spot and anybody who has land appurtenant to the chak road can have an easy entry to his premises or field from the chak road

7. Having heard learned counsel for the respective parties and having perused the record, we find there to be only controversy as to whether the petitioner can be permitted to open an entry to his shops on the chak road or not. Since it is an admitted position of fact that as the people connected with Ramleela Committee that organises Ramleela on a plot no. 534, which is across the chak road though in front of the shops of the petitioner, they can not have any objection insofar as the petitioner's enjoyment of the shops in question falling in his own plot including right to have egress and ingress to the shops from the chak road is concerned. Learned Additional Chief Standing Counsel has only placed the issue of public order and for that reason only that administration seems to have reconstructed the wall.

8. We have also perused the Naksha Nazari that has been placed on record along with instructions and we find that the chak road is fully demarcated

as plot no. 530 and has nothing to do with the plot of petitioner as well as plot where Ramleela is organised. What we further notice is that chak road passes in between two plots, plot of the petitioner where the shops are constructed and the plot where Ramleela is organised. Under the circumstances, it can be clearly seen that the entry to the shops will have to be from the chak road and not from any private plot of a person. Under the circumstances, we see no justification for any party may be Ramleela Committee or Gaon Sabha or District Administration to stop petitioner from having entry to reach his shops from chak road. It is well established rule of law and practice that chak road is constructed in village for giving passage to villagers to have access to their agricultural fields and with the passage of time if abadi comes up, the denial of right to have access to the house or shops from chak road is absolutely illegal and such right is always to be protected. Accordingly, we direct the District Administration to permit the petitioner to open an entry in front of his shops upon the chak road which falls in plot no. 530 and if any person objects to that proper police assistance be provided to the petitioner to make an entry and action be taken against such person/persons.

9. So far as the contention raised by Mr. Rajvedi with regard to the language and expressions used by the petitioner while drafting the petition, we may observe that petitioner will taking care of the same in future and will not be using such words and expression that demeans any person or body of persons. Lawyers are also supposed to use only such words and expressions in their draft/pleadings that otherwise does not lower down their prestige image in society.

10. With these above observations and directions, this petition stands disposed of.

(Garima Prashad,J.) (Ajit Kumar,J.)

October 6, 2026
A.K.Srivastava

Digitally signed by :-
ARUN KUMAR SRIVASTAVA
High Court of Judicature at Allahabad