HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 33776 of 2026

Hari Narayan And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 17 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Babu Lal Ram, Pramod Kumar
Counsel for Respondent(s)	:	C.S.C., Pradeep Singh

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Office has reported laches of 735 days in filing the instant writ petition, which has been explained in para Nos.24 and 25 of the instant writ petition.

2. Heard Mr. Babu Lal Ram, learned counsel for the petitioners, Mr. Shashi Kant Kushwaha, learned Standing Counsel for the State-respondents and Mr.Pradeep Singh, learned counsel for the Gaon sabha.

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

> **"i. Issue a writ, order or direction in the nature of Certiorari quashing the order dated 10.05.2024 passed by Respondent No.4 (Sub Divisional Magistrate/Assistant Collector 1st Class Robertsganj, District Sonebhadra) in Case No. 313 of 2004-2005 Computerized Case No. T201416660100026) (Hari Narayan and others Vs. Parshuttam and others) under Section 229-B of U.P.Z.A. & L.R. Act, 1950.**
>
> **ii. Issue a writ, order or direction in the nature of Mandamus directing the Respondents not to interfere in the peaceful possession of the petitioners over the Gata No. 211M area 4.788 hectare and Gata No. 330M area 2.451 hectare situated in Village Parahi, Pargana Ahraura, Tehsil Robertsganj, District Sonebhadra."**

4. Learned counsel for the petitioners submitted that suit under Section 229-B of U.P.Z.A.& L.R. Act filed on behalf of petitioner was initially decreed by the trial court but on the application of private respondents, the suit was restored and matter was again heard afresh. He submitted that parties were entered into compromise and the compromise application was filed in the suit before the trial court but the suit has been dismissed by the trial court holding that compromise is not possible in the matter. He submitted that impugned judgment/ decree/order passed by the trial court should be set aside and the suit proceeding should be decided on the basis of the compromise.

5. I have considered the augments advanced by the learned counsel for the parties and perused the record.

6. There is no dispute about the fact that suit under Section 229-B of U.P.Z.A & L.R. Act has been decided under the impugned judgment/order/decree passed by the trial court.

7. It is material to mention that judgment/order/decree passed by trial court in the suit proceeding under Section 229-B of U.P.Z.A.& L.R. Act can be challenged in appropriate proceeding as provided under the law, as such the instant writ petition cannot be entertained.

8. Considering the facts and circumstances of the case, the instant writ petition is disposed of with liberty to petitioners to avail alternative remedy against the impugned judgement/ order/decree passed by trial court in accordance with law.

October 29, 2026
PS*

(Chandra Kumar Rai,J.)

Digitally signed by :-
PRITI SHARMA
High Court of Judicature at Allahabad