HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 33380 of 2026

Jaypal and 3 others

.....Petitioner(s)

Versus

State of U.P. and 4 others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dwijendra Prasad
Counsel for Respondent(s)	:	C.S.C.

Court No. - 4

HON'BLE KSHITIJ SHAILENDRA, J.

1. The petitioners are aggrieved by rejection of their stay application in pending revision by order dated 03.08.2026.

2. Learned counsel for the petitioners submits that earlier, based upon registered sale deed executed in favour of the petitioners by Shanti Devi, their names were mutated, however, the order was set aside in appeal and matter was remanded, whereafter, Tehsildar passed order against the petitioners against which, an appeal was filed, which was dismissed and when the matter was carried in revision, though the same was admitted by the revisional Commissioner, stay application has been erroneously rejected.

3. Various other submissions have been made with reference to the record so as to convince the Court regarding rights in favour of the vendor of the petitioners, namely Shanti Devi and prayer has been made to restrain creation of third party rights pending revision.

4. Learned Standing Counsel submits that discussion made in all the orders on record reflects a serious dispute of title *inter se* parties and such dispute can always be decided in regular proceedings and, as of now, even revision has not been decided and, therefore, no interference is required.

5. Having heard learned counsel for the parties, I find that there is a dispute regarding status of Shanti Devi and Draupadi regarding their relationship with the bhumidhar of the land. The authorities below have made a detailed analysis of the documents on record and have arrived at a

conclusion, which the Court need not reiterate, as the matter is still pending before the revisional court. A civil suit being Original Suit No.984 of 2020 filed by one Udayveer Singh also appears to be pending, as its reference has come at page No.47 of the paper book.

6. On perusal of the impugned order, the Court finds that revisional Commissioner has observed that in support of the stay application, no such arguments were advanced which could justify grant of stay and, consequently, the stay application was rejected.

7. In the facts and circumstances of the case, where dispute is serious in nature, coupled with the fact that a civil suit is also pending, status whereof, is not known, the Court is not inclined to grant any interim relief to the petitioners either in this petition or in pending revision.

8. While declining to set aside the order dated 03.08.2026, the petition is **disposed of** directing the revisional court to decide the revision within **four months** by fixing dates on weekly/fortnightly basis, in accordance with law, after hearing the parties and any observation made in this order would not come in the way of the revisional court in deciding the matter.

(Kshitij Shailendra,J.)

October 24, 2026
Jyotsana

Digitally signed by :-
JYOTSANA SINGH
High Court of Judicature at Allahabad