HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 34681 of 2026

Shri Gajanan Sahkari Awas Samiti Ltd

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Syed Fahim Ahmed
Counsel for Respondent(s)	:	C.S.C.

Court No. - 1

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

1. Heard Mr. Syed Fahim Ahmed, learned counsel appearing for the petitioner and Mr. P.K.Shahi, learned Additional Chief Standing Counsel for the State-respondents.

2. The issue that arises for consideration as to why the respondent no. 3 is not passing an order upon the pending application/representation of the petitioner dated 24.6.2026 by which review/recall of the order dated 31.3.2026 has been prayed for.

3. Sri P.K.Shahi has obtained instructions as per which after the review application was received, report was called for and finally on 3.10.2026, a report has been submitted by the Additional District Magistrate (Finance & Revenue) for the purposes of appreciation by the Commissioner of Police, Commissionerate Agra so that disposal of the representation dated 24.6.2026 may be effectively made more specially in the circumstances when the recall/review has been prayed for. He submits that soon decision will be taken by the authority concerned.

4. Learned counsel for the petitioner submits that he is not aware of the report submitted by Additional District Magistrate (Finance & Revenue) and hence this Court may also observe that the District Magistrate made an averment in the affidavit filed before the Contempt Court that plot no. 492 is not a part of suit land mentioned in O.S. No. 668 of 1986, which stood decreed. Against which, First Appeal No. 309/2025 was filed, which is still pending and order of status quo is operating in respect of 13

bigha, 16 biswa and 8 biswansi of land of plot no. 492, whereas, total area of plot no. 492 is 57 bigha and the land in possession of the petitioner is outside the suit land. Thus according to him, the order of injunction in the nature of status quo will not be affecting part of the plot no. 492, which is not a suit land. He thus submits that this may be directed to be noticed by the authority while deciding the representation/review/recall of the petitioner dated 24.6.2026.

5. In view of the above, we dispose of this petition with the direction to the respondent no. 3 to take a final decision in the matter in accordance with law within two months from today taking into consideration the affidavit of the District Magistrate, which was filed before the Contempt Court to the effect that plot no. 492 is not a part of suit land.

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

October 6, 2026
A.K.Srivastava

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