2026:AHC:228262

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 35709 of 2026

Anjani Pandey

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Jitendra Kumar, Manoj Kumar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for petitioner and Mr. Mewa Lal Gupta learned Standing Counsel for State.

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

a) Issue a writ, order or direction in the nature of mandamus commanding and directing to the respondent No. 2 and 3 not to interfere in peaceful possession over the land in dispute, which is situated in Village Roopapur, Tehsil Rajatabla, District-Varanasi.

(b) And further prayed that this Hon'ble Court direct the respondents to maintain status quo during the pendency of the civil suit No. 1705 of 2021 before Civil Judge Junior Division.

(c) Issue a writ, order or direction as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

(d) Award the cost of the writ petition in favour of the petitioner.

3. Learned counsel for petitioner submitted that Civil Suit No. 1705 of 2021 filed on behalf of Prabhavati Devi impleading Banarsi, Anjani, Ashutosh and Shivam as defendants is pending before Civil Judge (Junior Division), Varanasi.

4. He submitted that interim injunction order is operating in the aforesaid Civil Suit No. 1705 of 2021. He further submitted that one proceeding under Section 24 of U.P. Revenue Code, 2006 was initiated, which was

decided by Sub-Divisional Officer vide order dated 26.03.2018. He submitted that restoration application dated 21.7.2020 filed on behalf of petitioner along with others has been decided vide order dated 13.07.2024 with observation that the interim injunction order passed in the aforesaid civil suit should be complied with on the spot in respect to Plot No. 455. He submitted that in view of the order dated 13.07.2024, direction be issued to the authorities that no interference be made in the peaceful possession of the petitioner and parties be directed to maintain status quo during pendency of Civil Suit No. 1705 of 2021.

5. I have considered the argument advanced by learned counsel for petitioner and perused the record.

6. There is no dispute about the fact that Civil Suit No. 1705 of 2021 is pending before civil court.

7. For compliance of the interim injunction order passed in the aforesaid civil suit, petitioner should initiate proper proceeding in the pending civil suit rather writ of mandamus before this Court under Article 226 of the Constitution of India.

8. No interference is required in this matter.

9. The writ petition is dismissed.

(Chandra Kumar Rai,J.)

November 2, 2026
Kumar Manish

Digitally signed by :-
MANISH TRIPATHI
High Court of Judicature at Allahabad