2026:AHC:228284

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 35799 of 2026

Rajmani And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Devbratt Yadav, Ram Pratap Yadav
Counsel for Respondent(s) : C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for petitioner and Mr. Mewalal 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 the Up-Ziladhikari Sadar, District Azamgarh to decide the Application for interim protection dated 01.06.2026 filed along with Appeal No. 18742 of 2026 (Rajmani and another Vs. Naib Tehsildar Mubarakpur) Computer Case No. T202615060118742 under Section 35(2) of the U.P. Revenue Code, 2006, in time frame and till the disposal of the stay application status quo in regard to the land in dispute being Plot No. 774 Area 0.8600 Hectare, situated Village Mahrupur Pargana Muhammadabad, Tehsil Sadar, District Azamgarh shall be directed to be maintained, during the pendency of the present writ petition before this Hon'ble Court, in the better interest of justice."

3. The learned counsel for petitioner submitted that against the order of mutation dated 23.05.2026 passed by Naib Tahsildar in the proceeding under Section 34 of U.P. Revenue Code, 2006, appeal under Section 35(2) of U.P. Revenue Code, 2006 filed on behalf of petitioners along with prayer for interim relief is pending before respondent No. 3, Sub-Divisional Officer, Sadar, Azamgarh.

4. He submitted that appropriate direction should be issued for expeditious disposal of the pending application for interim relief/stay within time bound period.

5. I have considered the argument of learned counsel for the petitioners and perused the record.

6. There is no dispute about the fact that appeal under Section 35(2) of U.P. Revenue Code, 2006 filed on behalf of petitioner along with application for interim relief is pending before respondent No. 3.

7. Considering the circumstances of the case, the interest of justice requires that pending appeal should be decided expeditiously.

8. Considering the entire facts and circumstances of the case, the instant petition is finally **disposed of** directing the respondent No. 3 to decide the aforementioned appeal, after affording proper opportunity of hearing to the parties, expeditiously, preferably within a period of three months from the date of production of certified copy of this order. It is further directed that all the pending applications in the aforementioned appeal shall be considered and disposed of in accordance with law.

(Chandra Kumar Rai,J.)

November 2, 2026
Kumar Manish

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