HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 39024 of 2026

Smt. Ganga Devi And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 33 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anup Shukla, Shivang, Shubham Kumar Yadav
Counsel for Respondent(s)	:	Avinash Chandra Srivastava, C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned Counsel for the petitioner, Mr. Avinash Chandra Srivastava, learned Counsel for Gram Sabha and Mr. Rajesh Kumar Tiwari, learned Additional Chief Standing Counsel for the State respondents.

2. 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 18.08.2026 passed by the learned Additional Commissioner (Administration), Agra Division, Agra in Appeal No. 2249 of 2026, to the extent it has rejected the stay application filed by the Petitioner in the aforesaid appeal;

ii. issue a writ, order or direction in the nature of mandamus directing the learned Additional Commissioner (Administration), Agra Division, Agra to decide Appeal No. 2249 of 2026 under Section 207 of the U.P. Revenue Code, 2006, expeditiously, preferably within a time-bound period fixed by this Hon'ble Court;

iii. issue a writ, order or direction in the nature of mandamus directing, direct the parties to maintain status quo with regard to the existing physical features, possession and boundary of

the disputed portion adjoining Gata Nos. 446 and 447, during pendency of appeal no. 2249 of 2026 before the Additional Commissioner (Administration) Agra Division Agra and restrain the private respondents from raising any further construction or changing the nature of the said disputed portion."

3. Counsel for the petitioner submitted that application/ case under Section 24 of U.P. Revenue Code, 2006 filed on behalf of the petitioners has been dismissed in illegal and arbitrary manner. He submitted that appeal under Section 207 of U.P. Revenue Code, 2006 filed on behalf of petitioners' is pending before respondent no.2, Additional Commissioner (Administration) Agra Division Agra. He submitted that appeal has been entertained but prayer for interim relief has been refused in illegal and arbitrary manner. He submitted that appropriate direction be issued for expeditious disposal of pending appeal and till the pendency of appeal, the parties be directed to maintain status quo. He further submitted that interim order dated 27.11.2024 was passed by Sub Divisional Officer during pendency of the proceeding under Section 24 of U.P. Revenue Code, 2006.

4. On the other hand, learned Additional Chief Standing Counsel for State and learned Counsel for Gaon Sabha submitted that no interference is required in the matter as appeal filed by petitioners is pending before respondent no.2, as such, petitioners should participate in the proceeding of pending appeal which will be decided in accordance with law.

5. I have considered the arguments advanced by learned Counsel for the parties and perused the records.

6. There is no dispute about the fact that appeal under Section 207 of U.P. Revenue Code, 2006 filed on behalf of petitioners arising out of proceeding under Section 24 of U.P. Revenue Code, 2006 is pending before respondent no.2.

7. Considering the facts and circumstances of the case, without

expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No.2, Additional Commissioner (Administration) Agra Division Agra to consider and decide the aforementioned appeal in accordance with law expeditiously and preferably within a period of **two months** from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

(Chandra Kumar Rai,J.)

October 23, 2026
Vandana Y.

Digitally signed by :-
VANDANA YADAV
High Court of Judicature at Allahabad