**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - C No. - 40916 of 2026**

Krishnakant Mishra And Another

.....Petitioner(s)

Versus

State Of U.P. And 12 Others

.....Respondent(s)

| | | |
|---|---|---|
| Counsel for Petitioner(s) | : | Pawan Kumar Dubey, Sunil Kumar Dubey, Suresh Chandra Dwivedi, Vinay Kumar |
| Counsel for Respondent(s) | : | Amit Pandey, Azad Rai, C.S.C., Ramesh Kumar Panday |

**Court No. - 1**

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

1. Heard Sri S.C. Dwivedi, learned counsel appearing for the petitioner, Sri Ramesh Kumar Pandey, learned counsel appearing for respondent no. 9, Sri Azad Rai, learned counsel appearing for respondent no. 8- *Gram Sabha* and learned Standing Counsel appearing on behalf of the State respondents.

2. Supplementary affidavit has been filed today. It is taken on record.

3. By means of this petition, filed under Article 226 of the Constitution, the petitioner has prayed for a direction to the Authorities to ensure that the private respondents do not interfere with the peaceful possession and occupation of his premises falling in plot no. 274 consisting of an area 0.8670 hectares in Village- Bhuira, Pargana- Mah, Block- Saidabad, Tehsil- Handia, District- Prayagraj. The contesting private respondents, however, raise objection as to the maintainability of this petition on the ground that the petitioner has already instituted a suit and, in which, 26.11.2026 is the next date fixed for temporary injunction application.

4. Learned counsel for the petitioner submits that the trial court is not considering the application of the petitioner for grant of temporary injunction in the absence of appearance of the defendants in the pending suit.

5. In the given facts and circumstances of the case, since respondent no. 9 is now represented by learned Advocate, we direct respondent no. 9 to put in appearance on 26.11.2026 in the suit and file his objections. On the next date fixed, that is 26.11.2026, the trial court will proceed and grant interim temporary relief so as to protect the property after giving opportunity of hearing to respondent no. 9 and if the other defendants have not put in appearance, the trial court will be fixing further date for consideration of disposal of the temporary injunction application finally after inviting objections.

6. We may further clarify that the police and district administration and revenue authorities would not be interfering in civil suit between the private parties, except in the event the law and order situation so demands.

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

**October 24, 2026**
Prashant D.

Digitally signed by :-
PRASHANT DWIVEDI
High Court of Judicature at Allahabad