2026:AHC:226910

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 4869 of 2026

Pancham

.....Petitioner(s)

Versus

State Of U.P. And 10 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashok Kumar Singh
Counsel for Respondent(s)	:	C.S.C., Pradeep Singh

Court No. - 51

HON'BLE ARUN KUMAR, J.

1. Heard Sri Ashok Kumar Singh, learned counsel for the petitioner and learned Standing Counsel for the respondent nos. 1 to 3. Sri Pradeep Singh, Advocate has accepted notice on behalf of respondent no. 4.

2. The present petition has been filed challenging the orders of the respondent nos. 2 & 3, dated 14.8.2026 and 19.8.2025, respectively, arising out of proceedings under Section 24 of the U.P. Revenue Code, 2006.

3. On the application of the petitioner, for demarcation of his bhumidhari plot no. 943, case under section 24 of the Revenue Code was registered before the Deputy District Magistrate, Gyanpur, in which report and field book, dated 23.4.2018, submitted by the Revenue Inspector, was accepted by the order of the Deputy District Magistrate, Gyanpur, dated 13.3.2020.

4. On a recall application moved by the contesting respondents, the said order was recalled, and the matter was heard afresh. The Deputy District Magistrate, Gyanpur, by his order dated 4.9.2024, again confirmed the report and field book, dated 23.4.2018, prepared by the Revenue Inspector, and upheld his earlier order dated 13.12.2020.

5. The appeal filed by the respondents against the order dated 4.9.2024, was allowed by the order of the Additional Commissioner, Judicial, Vindhyachal Division, Mirzapur, dated 19.8.2025. Challenging the said order, the petitioner filed a revision before the Board of Revenue, the respondent no. 2, which has been dismissed by the order dated 14.8.2026, hence this writ petition.

6. It is contended by the learned counsel for the petitioner that in absence of any sustainable objection filed by the contesting respondents, the report of the Revenue Inspector, dated 23.4.2018 was accepted by the Deputy District Magistrate. It is submitted that the Additional Commissioner, has erred in allowing the appeal, filed by the contesting respondents, as the modified map of the adjoining land of the contesting respondents, has been set aside in appeal by the Additional District Magistrate (Finance & Revenue), Bhadohi. It is further contended that a common point at the junction of three plots had been made the basis for the measurement in the field book prepared by the Revenue Inspector, which has been incorrectly held to be inappropriate for the demarcation proceedings. It has been further contended that the Board of Revenue, manifestly erred in upholding the order of the Additional Commissioner, without recording any independent reason for it. It has been contended that once the modified map of Plot No. 941 has been set aside in appeal by the Additional District Magistrate (Finance & Revenue), Bhadohi and there is no stay of the said order, the demarcation proceedings on the existing map was justified in law.

7. The learned Additional Chief Standing Counsel on the other hand contended that in view of the law laid down by this Court in the case of Rajnath Vs. State of U.P. and 4 others, Writ-C No. 39778 of 2022, decided on 23.12.2022 as well as in the case of Vinod Kumar Vs. Board of Revenue and others, Writ - B No. 1515 of 2013, decided on 2.2.2017, if a proceeding for correction of map of any of the adjoining plot is pending before the appropriate authority, the demarcation proceedings, should be stayed. He has further contended that the specific discrepancy in determination of fixed point has been pointed out by the Additional Commissioner while allowing the appeal by its order dated 19.8.2025, which has rightly been upheld in revision by the Board of Revenue.

8. Having considered the submissions made by the counsel for the parties, it is evident that the proceedings for correction of map, in respect of Plot No. 941 is pending before the Additional Commissioner (Judicial), Vindhyachal Dham, Mirzapur. If the map relating to Plot No. 941 is modified, it will displace the boundary of Plot no. 943, sought to be demarcated by the petitioner in proceeding under Section 24 of the Act. In view of the said fact and the law laid down by this Court in the cases of Rajnath (supra) and Vinod Kumar (supra), the claim of the contesting respondents that the demarcation proceedings carried out on the basis of the existing map during pendency of the proceedings for correction of map was justified, is unsustainable.

9. As admittedly, the field book has been prepared by the Revenue Inspector on the basis of the existing map, therefore, the observation of the Deputy District Magistrate, Gyanpur in its order dated 13.3.2020, that the correction of map proceedings would not affect the demarcation proceedings, is not justified and unsustainable.

10. In view of the aforesaid circumstances, as during pendency of the correction of map proceedings of adjacent plot no. 941, the demarcation proceedings of plot no. 943 were ought to be suspended in view of the law laid down by this Court in the cases of Rajnath (supra) and Vinod Kumar (supra), as such, no interference is warranted by this Court with the order dated 19.8.2025, as upheld by the order of the respondent no. 2, dated 14.8.2026.

11. The proceedings for demarcation pending before the Deputy District Magistrate, Gyanpur, in pursuance of the order of the respondent no. 3, dated 19.8.2025, shall remain in abeyance, till the correction of map proceedings in respect of adjacent plot no. 941 is disposed of in accordance with law. Revision No. C-202516000001669 (Manijar and others Vs. Ram Singar and others), for correction of map of plot no. 941, pending before the Additional Commissioner, Judicial, Vindhyachal Division, Mirzapur, shall be decided, in accordance with law, within a period of three months. After the conclusion of the correction of map proceedings, the Deputy District Magistrate, Gyanpur, shall proceed to dispose of the proceedings under Section 24, registered on the application

of the petitioner, in accordance with law, expeditiously.

12. The writ petition is, accordingly, disposed of.

(Arun Kumar,J.)

November 2, 2026
Ranjeet Sahu

Digitally signed by :-
RANJEET SAHU
High Court of Judicature at Allahabad