2026:AHC:231421

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 45301 of 2026

Ram Sharan Maurya

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Amish Kumar Srivastava, Jeetendra Kesharwani
Counsel for Respondent(s)	:	C.S.C., Sudhir Bharti

Court No. - 4

HON'BLE SUDHANSHU CHAUHAN, J.

1. Learned counsel for the petitioner is granted leave to implead the Sub-Divisional Magistrate, Tehsil Sadar, District Gorakhpur, as respondent no. 7 during the course of the day.

2. Heard learned counsel for the petitioner, Shri Sudhir Bharti, learned counsel for the Goan Sabha, and learned Standing Counsel for the State respondents.

3. The facts of the case are that the petitioner is the recorded tenure holder of Arazi No. 665, whereas respondents nos. 3 and 4 are the recorded tenure holders of Arazi No. 664. The petitioner filed an application under Section 24 of the U.P. Revenue Code, 2006, which was allowed vide order dated 19.06.2026. Against the order dated 19.06.2026, respondent no. 5, who is also a recorded tenure holder of Arazi No. 664, filed an application for restoration, which is pending.

4. Besides, respondents nos. 3 and 4 have also filed an application under Section 24 of the U.P. Revenue Code, 2006, without impleading the petitioner as a party. Learned counsel for the petitioner has drawn the attention of this Court to the report dated 06.05.2026 of the Tehsildar in proceedings under Section 24 initiated by respondent nos. 3 and 4, wherein it has been observed that the tenure holder of Arazi No. 665, i.e., the petitioner, has not

been impleaded as a party.

5. Further the petitioner has filed the present writ petition being aggrieved by the order dated 09.10.2026 passed by the Sub-Divisional Magistrate (respondent no. 7), whereby an order of status quo has been passed in respect of Arazi No. 664 in proceedings initiated by respondents no. 3 and 4. The contention of learned counsel for the petitioner is that, under the garb of the aforesaid order, the private respondents are trying to encroach upon the petitioner's plot i.e., Arazi No. 665, adjoining Arazi No. 664 of respondents no. 3,4 and 5.

6. It is also contended that the private respondents are trying their best to stall the demarcation of Arazi No. 665 belonging to the petitioner in pursuance to the order dated 19.06.2026, and it is for this reason restoration application has been filed by respondent no.5, while respondent nos.3 and 4 had obtained a status quo order in proceedings under Section 24 initiated by respondents no. 3 and 4, that too without impleading the petitioner.

7. Under the circumstances, the present writ petition is disposed of with a direction to respondent no. 7, the Sub-Divisional Magistrate, to decide the application for restoration dated 29.07.2026 filed by respondent no. 5 in Case No. 24909 of 2026, Computerized Case No. T202605310324909 (Ramsharan Maurya v. Basant and others), decided on 19.06.2026, within a period of two months from the date of production of a certified copy of this order, after hearing all the parties concerned and in accordance with law.

8. As far as the proceedings under Section 24 initiated by respondents nos. 3 and 4 are concerned, respondent no. 7, the Sub-Divisional Magistrate, is directed to decide Case No. 30741 of 2026, Computerized Case No. T202603510330741 (Ram Rekha and another v. State of U.P.), expeditiously, preferably within a period of two months, after affording an opportunity of hearing to the petitioner. Further, it shall be open to the petitioner to file his objections in the said proceedings within a period of one week from

today.

9. The writ petition is disposed of accordingly.

November 5, 2026
Nadeem

(Sudhanshu Chauhan,J.)

Digitally signed by :-
NADEEM AHMAD
High Court of Judicature at Allahabad