2026:AHC:212697

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 38315 of 2026

Raj Jyoti Agrawal

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Priyanshu Pandey, Ram Kishore Pandey
Counsel for Respondent(s)	:	C.S.C.

Court No. - 37

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner and Sri Vijay Pratap Singh, learned standing counsel for the state-respondents.

2. The instant writ petition has been filed for the following reliefs:-

> **"A- Issue a writ, order or direction in the nature of Mandamus, directing the contesting respondents not to create any 3rd party right over land in question situated in village Mahokhar, Pargana, Tahsil and District Banda and in mauja Bhawanipur, Tahsil and District Banda during pendency of Appeal.**
>
> **B- Issue a writ, order or direction in the nature of mandamus directing respondent no.2 to decide Appeal No. 4934 of 2026 (Raj Jyoti Vs Geeteshwari Devi and others) under section 35(2) of U.P. Revenue Code 2006 forthwith within stipulated period."**

3. Counsel for the petitioner submitted that appeal under Section 35(2) of the U.P. Revenue Code, 2006 filed on behalf of the petitioner against the order passed by the Tehsildar, is pending before respondent no.2/Deputy District Magistrate, Banda. He submitted that private respondents are creating third-party-interest in respect to the plot in question, as such, appropriate direction be issued for the expeditious disposal of the pending appeal and till the disposal of the appeal, private respondents should be restrained from creating third-party-interest in respect to plot in question.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2 to decide the aforesaid proceedings to its logical conclusion, as expeditiously as possible, preferably within a period of 3 months, from the date of production of a certified copy of this order before the authority concerned, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

(Chandra Kumar Rai,J.)

October 9, 2026
C.Prakash

Digitally signed by :-
CHANDRA PRAKASH
High Court of Judicature at Allahabad