



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - B No. - 775 of 2026**

Mohammad Naiyum @ Naim

.....Petitioner(s)

Versus

Muzaffaruddin And 33 Others

.....Respondent(s)

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Counsel for Petitioner(s) : Rahul Kumar Tyagi  
Counsel for Respondent(s) : C.S.C., Rajnish Kumar Srivastava,  
Siddharth Srivastava, Sunil Kumar  
Singh

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**Court No. - 55**

**HON'BLE CHANDRA KUMAR RAI, J.**

1. Heard Mr. Rahul Kumar Tyagi, learned counsel for the petitioner, Mr. Rajnish Kumar Srivastava, learned counsel for respondent no.7, Mr. Shailesh Srivastava, learned Standing Counsel for the State-respondents and Mr. Sunil Kumar Singh, learned counsel for the gaon sabha.

2. Learned counsel for the petitioner submitted that objection against kurra prepared by the lekhpal was filed on behalf of petitioner but the Sub Divisional Officer has confirmed the Kurra on the ground that no objection has been filed by the parties against the kurra. He placed the objection filed on behalf of petitioner before the Sub Divisional Officer as well as Kurra and map prepared by the lekhpal in order to demonstrate that there was no signature of the petitioner over the kurra prepared by the lekhpal. He further submitted that long possession of the petitioner has not been taken into consideration and inferior quality of land has been given in the kurra of the petitioner. He submitted that all the three impugned orders should be set aside and matter should be remitted back before Sub Divisional Officer for preparation of fresh kurra in accordance with law.

3. On the other hand, Mr. Rajnish Kumar Srivastava, learned counsel for respondent no.7 submitted that there is no illegality in

the orders passed by three Court in the suit for partition. He submitted that considering entire aspect of the matter, kurra was prepared which requires no interference. He submitted that part of the area has been sold by the petitioner as such objection cannot be filed by petitioner against the Kurra.

4. In reply, learned counsel for the petitioner submitted that no sale deed has been executed by the petitioner rather one agreement for sale was alleged to be executed against which cancellation at the instance of petitioner is pending in civil court, as such the arguments advanced by learned counsel for respondent No.7 is misconceived.

5. Matter requires consideration.

6. Issue notice to respondent nos.8 to 34 returnable at an early date.

7. Steps be taken within two weeks.

8. Respondent Nos.7 to 34 shall file counter affidavit within six weeks.

9.Rejoinder affidavit can be filed by the petitioner within two weeks.

10. List this matter on 26.5.2026.

11. Until further orders of this Court, effect and operation of the orders dated 14.1.2026, 24.7.2025 and 3.2.2025 passed by respondent nos.3,4 and 5 shall remain stayed and parties are directed to maintain status quo with respect to the nature and possession of the plot in question.

**March 19, 2026**

PS\*

**(Chandra Kumar Rai,J.)**