



HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 9319 of 2025

Ramtahal And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Brijesh Kumar Srivastava

Counsel for Respondent(s) : Amit Kumar Singh, G.A., Ram Mani Upadhyay

Court No. - 85

HON'BLE VINOD DIWAKAR, J.

1. Heard Shri Brijesh Kumar Srivastava, learned counsel for the petitioners, Shri Shri S.P. Pandey, Advocate holding brief of Shri Amit Kumar, learned counsel for the respondent nos. 5 & 6 and Shri Ram Mani Upadhyay, learned counsel for the respondent no. 4 and learned A.G.A. for the State.

2. Present petition has been filed seeking the following relief:-

"i. Set aside the impugned order dated 19.07.2025 passed by Additional Session Judge 1st, Court No. 1, Basti passed in Criminal Revision No. 09 of 2025 (Ramtahal and Others versus Urmila Devi and Others) and also set aside the order dated 31.12.2024 passed by Sub-Divisional Magistrate Bhanpur, Basti in Case No. 3636 of 2024, (Urmila Devi and Others versus Ramtahal Yadav) under Section 146(1) by which to order to the Station House Officer P.S. Sonha to attached the disputed property and to appoint the receiver."

3. The instant petition has been filed against the impugned orders dated 19.07.2025 and 31.12.2024 primarily on the ground that preliminary report was filed in the year 2021 and the impugned order was passed in the year 2024. There was neither any breach of peace and nor any reasoning to pass the order under Section 145 Cr.P.C.

4. Shri S.P. Pandey, Advocate holding brief of Shri Amit Kumar, learned counsel for the respondent nos. 5 & 6 and Shri Ram Mani Upadhyay, learned counsel for the respondent no. 4 pray for and are granted three weeks

time to file counter affidavit in response to the contention raised by the counsel for the petitioners. Rejoinder affidavit, if any, be filed within a week thereafter.

5. List on 11.11.2025, as fresh.

6. Meanwhile, the impugned orders dated 19.07.2025 and 31.12.2024 shall remain stayed till the next date of listing.

7. It is made clear that the parties to the litigation shall maintain status quo and the order passed by this Court has no bearing on the civil proceedings pending before the trial court and the revenue authorities shall also have no bearing.

September 10, 2025
SY

(Vinod Diwakar,J.)