



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 3614 of 2025

Radhey Shyam And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Shriprakash Shrivastava
Counsel for Respondent(s)	: C.S.C., Jay Prakash Singh, Shailesh Kumar Tripathi

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

Re: Civil Misc. Application dated 16.12.2025

1. The aforesaid application dated 16.12.2025 filed on behalf of respondent no.3 is taken on record.
2. Office is directed to allot number to the instant application.
3. Heard Sri Shriprakash Srivastava, learned counsel for the petitioners, Sri Shailesh Kumar Tripathi, learned counsel for respondent no.3 and Sri Rajesh Kumar Tiwari, learned Addl. C.S.C. for the state-respondents.
4. Counsel for respondent no.3 submitted that respondent no.3 should be permitted to remove the materials, like, bamboo, balli, patra, etc., from the disputed plot no.8390. He further submitted that the petitioners with the collusion of police authorities, are not permitting respondent no.3 to remove the aforementioned materials from plot no.8390 on the ground that writ petition is pending before this Court wherein interim order dated 10.9.2025 is operating against the order dated 25.10.2024.
5. Counsel for the petitioners submitted that application filed by respondent no. 3 should be rejected as respondent no.3 himself has started construction in plot no.8390, after interim order was passed by this Court.
6. Considering the entire facts and circumstances of the case, respondent no.3 is permitted to remove the aforementioned materials (bamboo, balli, patra, etc.) as mentioned in the application dated 16.12.2025 from the

disputed plot no.8390 within a period of two weeks from today. It is further directed that the police authority shall not interfere in removing the aforementioned articles by respondent no.3 from plot no.8390.

7. The interim order dated 10.9.2025 passed by this Court is modified to the aforesaid extent.

8. The application is disposed of.

Order on Writ Petition

1. Rejoinder affidavit filed on behalf of the petitioner is taken on record.

2. List this matter for disposal on 29.1.2026.

3. Registrar (Compliance) is directed to communicate this order to the S.S.P./S.P., Siddharth Nagar within 3 days, who in turn shall communicate the same to the Police Station concerned, having the jurisdiction of Village Bhatgawa, Tappa- Karhi, Pargana-Rasulpur, Tahsil- Itwa, District Siddharth Nagar, for compliance of this order.

(Chandra Kumar Rai,J.)

December 17, 2025

C.Prakash