



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 4001 of 2025

Vidhya Pracharni Sabha, Prem Nagar

.....Petitioner(s)

Versus

The Board Of Revenue At Allahabad And 17
Others

.....Respondent(s)

Counsel for Petitioner(s) : Pt. K. K. Dubey

Counsel for Respondent(s) : C.S.C., Manoj Kumar Sahu, Umang
Srivastava

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Pt. K.K. Dubey, learned counsel for the petitioner, Mr. Umang Srivastava, learned counsel for respondent no.7 and Mr. Rajesh Kumar Tiwari, learned Standing Counsel for the State-respondents.

2. Learned counsel for the petitioner submitted that this Court has remanded the matter back before the Board of Revenue with certain direction to decide the time barred restoration / recall application in proper manner but Board of Revenue is not proceeding according to the direction issued by this Court. He further submitted that during pendency of the delay condonation and restoration application one injunction order has been passed which is wholly illegal. He further submitted that on the substitution application an order has been passed without allowing the delay condonation and restoration application which is also illegal exercise of jurisdiction by the Board of Revenue. He further submitted that in view of the aforementioned facts and circumstances, the impugned order should be set aside and entire proceeding of the restoration / delay condonation application should be quashed.

3. On the other hand, learned counsel for respondent no.7 submitted that there is no illegality in the order impugned passed by the Board of Revenue as petitioner is not co-operating in the proceeding before the Board of Revenue. He further submitted that the pending restoration / delay condonation matter shall be decided by the Board of Revenue in accordance with law and no interference is required in the matter. He

further submitted that the petitioner is transferring the property in question, as such, the petitioner is not entitled to any relief in the matter.

4. Matter requires consideration as to whether the Board of Revenue can grant any interim injunction during pendency of the time barred restoration / recall application as well as whether the Board of Revenue can pass the order on substitution application without allowing the delay condonation and restoration / recall application.

5. Issue notice to respondent nos.4, 5, 6/1, 6/1/1 to 6/1/5, 6/2/1 to 6/2/4 returnable at an early date.

6. Steps be taken within two weeks.

7. All the private respondents shall file counter affidavit within six weeks.

8. Petitioner shall file rejoinder affidavit within one week thereafter.

9. List this case in the daily cause list on 18.12.2025 in top ten cases.

10. Until further orders of this Court, the further proceeding of recall application no.3013 of 2019, Computerized Case No.20190637003013 (Subhash Chandra vs. Vidhya Pracharni Sabha and other) before Board of Revenue, U.P., Prayagraj shall remain stayed.

(Chandra Kumar Rai,J.)

October 16, 2025

Rameez