

**(2012) 01 AHC CK 0174**  
**In the Allahabad High Court**  
**Case No : WRIT C No. 9548 of 2003**

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| Santosh Kumar and Others | Vs | APPELLANT  |
| State Of U.P. and Others |    | RESPONDENT |

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**Date of Decision :** 13-01-2012

**Acts Referred:**

**Citation :** (2012) 01 AHC CK 0174

**Hon'ble Judges :** Surendra Kumar, J; Satya Poot Mehrotra, J

**Bench :** Division Bench

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## Judgement

1. In the present Writ Petition, this Court by the order dated 6.3.2003 directed for filing of counter affidavit on behalf of the respondents and rejoinder affidavit on behalf of the petitioners. By the said order dated 6.3.2003, this Court further directed that the petitioners would not be dispossessed from their agricultural holding until further orders of this Court. Pursuant to the said order dated 6.3.2003, pleadings were exchanged between the parties. Subsequently, by the order dated 8.12.2005, this Court dismissed the Writ Petition. Against the said order dated 8.12.2005, SLP being SLP No. 3740 of 2006, was filed before the Supreme Court. Their Lordships of the Supreme Court by the order dated 3.3.2006 directed for issuance of notice on the SLP and further directed that "status-quo as of today shall be maintained in the meantime."

2. The aforesaid SLP and other connected Special Leave Petitions were subsequently numbered as Civil Appeal Nos. 7985 of 2011, 7986 of 2011 and 7987 of 2011.

3. By the order dated 19.9.2011, their Lordships of the Supreme Court allowed the aforesaid Civil Appeals and set-aside the impugned orders and remitted the matters to the High Court for fresh disposal of the Writ Petitions. Their Lordships further gave liberty to the parties "to file additional affidavits and documents before the High Court within a period of twelve weeks."

4. The present Writ Petition has now come-up before this Court for final disposal.

5. The aforesaid Stay Application has been filed on behalf of the petitioners, interalia, praying for stay of the dispossession of the petitioners from the disputed land and for direction to the parties to maintain status-quo during the pendency of this Writ Petition.

6. We have heard Shri W.H. Khan, learned Senior Counsel assisted by Shri J.H. Khan, learned counsel for the petitioners and the learned Standing Counsel appearing for the respondents.

7. Having regard to the facts and circumstances of the case and keeping in view the fact that the Stay Order was operative during the pendency of the present Writ Petition before this Court and also keeping in view the fact that the status-quo order remained operative during the pendency of the matter before the Supreme Court, we direct that status-quo as of date in regard to the land in question will be maintained by the parties hereto until further orders of the Court.

8. Shri W.H. Khan, learned Senior Counsel appearing for the petitioners informs the Court that the additional affidavits and documents, as mentioned in the order of the Supreme Court dated 19.9.2011, have already been filed on behalf of the petitioners.

9. Learned Standing Counsel appearing for the respondents prays that time be granted for filing additional affidavits and documents on behalf of the respondents.

10. Let this be done by the next date fixed in the matter. As jointly prayed by the learned counsel for the parties, the case alongwith connected matter is directed to be listed for final disposal on 13.3.2012.