



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT – C No. - 35470 of 2025**

Meena Devi

.....Petitioners(s)

Versus

State of Uttar Pradesh  
and 5 Others

.....Respondents(s)

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Counsel for Petitioners(s) : Rohit Pandey  
Counsel for Respondent(s) : Azad Rai, C.S.C.

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**Along with:**

1. **Writ - C No. 35324 of 2025:** Ramayan Versus State of U.P. and 33 others
2. **Writ - C No. 38105 of 2025:** Satendra Mani Versus State of U.P. and 2 others
3. **Writ - C No. 39356 of 2025:** Anand Kumar and 2 others Versus State of U.P. and 9 others
4. **Writ - C No. 39643 of 2025:** Paras Nath Versus State of U.P. and 6 others
5. **Writ - C No. 40027 of 2025:** Kishan Kumar Versus State of U.P. and 11 others
6. **Writ - C No. 40164 of 2025:** Ramnaresh Dubey Versus State of U.P. and 3 others
7. **Writ - C No. 40165 of 2025:** Vinod Kumar Gupta Versus State of U.P. and 9 others
8. **Writ - C No. 35626 of 2025:** Smt. Sirjawati Versus State of U.P. and 4 others

**Court No. - 6**

**AFR**

**HON'BLE DR. YOGENDRA KUMAR SRIVASTAVA, J.**

Heard S/Sri Rohit Pandey, Sandeep Kumar Singh, holding brief of Digamber Dwivedi, Munna Tiwari along with Sandeep Kumar Singh,

Dharamdas, Vijay Bahadur Yadav, Anoop Kumar Sharma, Anurag Shukla along with Shubham Dwivedi, Raj Kumar Shukla and Arvind Kumar Srivastava, learned counsel for the petitioners and Sri Manish Goyal, learned Additional Advocate General, appearing along with Sri J N Maurya, learned Chief Standing Counsel, Sri Abhishek Shukla, learned Additional Chief Standing Counsel and Sri Ravi Anand Agarwal, learned counsel for the State-respondents.

2. The present batch of writ petitions raises a common grievance pertaining to non-execution of demarcation orders passed under Section 24 of the Uttar Pradesh Revenue Code, 2006<sup>1</sup>, notwithstanding the fact that such orders have attained finality after due inquiry, submission of reports, and issuance of notices to the concerned parties.

3. The lead matter, being Writ-C No. 35470 of 2025 (Meena Devi v. State of Uttar Pradesh and others), typifies the nature of the controversy involved in the present set of petitions.

### **Factual Matrix**

4. The factual background of the cases and the contentions raised on behalf of the petitioners, as reflected from the pleadings, are being set out hereinbelow:

#### **Writ-C No.35470 of 2025 : Meena Devi vs. State of Uttar Pradesh & Others**

4.1 Petitioner is a recorded *bhumidhar* with transferable rights of land bearing Gata No.606, ad measuring 0.0240 hectare, situate in Village Ustapur Naika, Jhunsi, District Prayagraj. The petitioner's title and possession over the said land stand duly recorded in the *khatauni* of *fasli* years 1429-1434, evidencing her lawful rights.

4.2 Over a period of time, the boundaries of the aforesaid plot became damaged and indistinct, resulting in recurring disputes between the petitioner and adjoining land cultivators regarding the exact boundary line.

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<sup>1</sup> Code, 2006

4.3 In order to resolve the boundary dispute lawfully, the petitioner along with other co-tenure holders instituted proceedings under Section 24 of the Code, 2006 for demarcation of boundaries before the Sub-Divisional Magistrate, Phoolpur, District Prayagraj. The case was registered as Case No. 191 of 2024 (Computerized No. T202402030200191) titled *Meena Devi and others vs. Gram Sabha and others*.

4.4 During the said proceedings, the Sub-Divisional Magistrate called for a report from the Revenue Inspector, who conducted a spot inspection in the presence of all concerned parties and submitted a demarcation report along with a map dated 28.11.2022.

4.5 On the basis of the said report, notices were issued to all concerned parties inviting objections. Despite due opportunity, no objections were filed by any party, and all stakeholders were aware of the demarcation proceedings.

4.6 After considering the material on record, the Sub-Divisional Magistrate, Phoolpur, allowed the application vide order dated 02.01.2024, confirming the demarcation report and map dated 28.11.2022, and directed the Tehsildar, Phoolpur, to execute the demarcation by installing permanent boundary stones.

4.7 In compliance of the said order, the Revenue Inspector issued notice dated 12.10.2024, informing all concerned parties that demarcation of Gata No.606 would be carried out on 19.10.2024, and requiring their presence for effective execution.

4.8 Thereafter, the petitioner was repeatedly called on several dates, namely 13.10.2024, 14.10.2024, 16.10.2024, 03.11.2024 and 05.11.2024, for demarcation proceedings. However, on each occasion, the demarcation work was deferred on the pretext of non-availability of police force, despite the existence of a valid and subsisting judicial order.

4.9 Due to persistent non-execution of the demarcation order, the petitioner submitted an application dated 02.12.2024 to the concerned authorities through registered post, requesting immediate compliance of

the order dated 02.01.2024. Despite receipt of the said application, the respondents have failed to take any action.

4.10 Non-demarcation of her land has caused the petitioner grave hardship and irreparable loss, as the boundary dispute with adjoining landholders remains unresolved.

#### **Writ-C No.35324 of 2025 : Ramayan vs. State of Uttar Pradesh**

5. Petitioner, Ramayan, filed a demarcation case under Section 24 of the Code, 2006 before the Sub-Divisional Magistrate, Rudrapur, District Deoria in respect of Gata Nos.174, 175, 178, 179, 181, 184 and 185. The said demarcation case was decided by order dated 06.02.2023.

5.1 During the pendency of the said proceedings, respondent nos. 4 to 9 instituted a separate case for correction of map under Section 30 of the Code, 2006 before the Additional District Magistrate (Finance & Revenue), Deoria, which is pending.

5.2 While passing the order dated 06.02.2023, the S.D.M. directed the parties to maintain *status-quo* only till the expiry of the limitation period for filing an appeal, noting the pendency of the proceedings under Section 30.

5.3 Despite the expiry of the limitation period, the revenue authorities have failed to comply with the demarcation order on the pretext of pendency of the proceedings (*Lekhpal* giving a report stating that since a case under section 30 is pending, therefore order of Section 24 cannot be complied). Repeated representations, including after dismissal of the appeal, have remained unattended.

5.4 Petitioner submitted a representation dated 22-09-2025 before respondent no.2, to comply with order dated 06-02-2023, but no action has been taken.

5.5 The inaction and refusal of the respondents to implement a final and binding order is arbitrary, illegal and unsustainable in the eyes of law, giving rise to the present writ petition seeking enforcement of the order dated 06.02.2023.

**Writ-C No. 38105 of 2025 : Satendra Mani v. State of Uttar Pradesh**

6. Petitioner filed a case for demarcation of his land bearing Arazi No. 898, area 3.376 hectare, situated at village Sabaya Ray, Tehsil Kasya, District Kushinagar. The said case was instituted before the Sub Divisional Magistrate (Judicial), Tehsil Kasya, District Kushinagar, respondent no. 2, and was registered as Case No. 9568 of 2024, Computer Case No. T202405440409568 (Satendra Mani Vs. Chairman, Nagar Palika Parishad, Kushinagar).

6.1 Pursuant thereto, respondent no. 3 passed an order dated 01.04.2025 directing demarcation of the petitioner's land. However, despite lapse of more than six months from the date of the said order, the demarcation has not been carried out by the concerned authorities. Petitioner repeatedly moved applications before respondent no.2, requesting compliance of the order dated 01.04.2025, but no action was taken.

**Writ-C No 39356 of 2025 : Anand Kumar & Others v. State of Uttar Pradesh**

7. Petitioners instituted a case for demarcation under Section 24 of the Code, 2006, which was registered as Case No. 4673 of 2023, Computerized Case No. T202305440304673 (Anand Kumar and others Vs. Ramashasnkar and others). The Revenue Inspector submitted his report, which was duly examined by the Sub-Divisional Officer<sup>2</sup> (Magistrate), Tehsil Tamkuhiraj, District Kushinagar, and found to be correct.

7.1 Accordingly, vide order dated 28.06.2023, the SDO directed affixation of boundary stones over Gata Nos. 1691/4374/0.099 and 1696/0.024 situate in Village Barwa Rajapakad, Tehsil Tamkuhiraj, District Kushinagar. Despite repeated approaches made by the petitioners for compliance of the said order, the authorities have failed to implement the same. Hence, the writ petition has been filed.

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<sup>2</sup> SDO

**Writ-C No.39643 of 2025 : Parasnath vs. State of Uttar Pradesh**

8. Petitioner, Paras Nath, filed a case under Section 24 of the Code, 2006 for measurement and demarcation of Gata Nos.234 (0.229 hectare) and 285 (0.253 hectare) situate in village Chaukiya, Pargana Mahul, Tehsil Phoolpur, District Azamgarh, which was registered as Case No. 1973 of 2025 (Computerized Case No. T202515060301973), Paras Nath vs. Om Prakash and others, before the Up-Ziladhikari, Tehsil Phoolpur. In the said proceedings, a report was called for from the revenue authorities, pursuant to which the Revenue Inspector submitted a report dated 16.07.2024 after spot inspection and measurement, along with the field book, which was forwarded through the Tehsildar, Phoolpur. Though objections were filed by the private respondents alleging lack of notice and inspection, the competent authority, after considering the objections, the revenue report and relevant records, approved the report vide order dated 12.03.2025.

8.1 Despite the final order dated 12.03.2025 approving the demarcation and entitling the petitioner to possession over the aforesaid land, the petitioner has not been put in possession till date. The private respondents are obstructing the implementation of the order and are threatening the petitioner and the local police authorities are not extending cooperation. The petitioner made representations dated 14.08.2025 and 08.09.2025 before the Sub-Divisional Magistrate seeking enforcement of the order, but no action has been taken. The continued inaction of the respondents in giving effect to a lawful and final order is arbitrary and illegal, leaving the petitioner with no alternative remedy, and hence the present writ petition has been filed seeking issuance of a writ of mandamus for compliance of the order dated 12.03.2025 and delivery of possession of the disputed land.

**Writ-C No.40027 of 2025 : Kishan Kumar v. State of Uttar Pradesh**

9. Petitioner filed Case No. 4747 of 2021, Computerized Case No. T202102420304747 under Section 24 of the Code, 2006 on 04.06.2021, seeking demarcation. The Revenue Inspector conducted measurement in

presence of concerned parties and submitted a report dated 07.07.2021, which was forwarded by the Tehsildar, Tehsil Manjhanpur.

9.1 After service of notice and absence of objections, respondent no. 2 confirmed the report vide order dated 19.05.2022 and directed affixation of boundary stones. In pursuance thereof, notices dated 06.09.2025, 08.09.2025, and 17.09.2025 were issued fixing dates for compliance, but neither the Revenue Inspector reached the spot nor were stones fixed. Repeated approaches by the petitioner to the Revenue Inspector and respondent no. 2 yielded no result. Hence, the present writ petition has been filed.

**Writ-C No.40164 of 2025 : Ramnaresh Dubey v. State of Uttar Pradesh**

10. Petitioner is a co-sharer of Gata No. 684, area 0.434 hectare, situated at Village Tiwaripur (Kasivar), Tehsil Sadar, District Mirzapur. Along with other co-sharers, the petitioner filed Case No. 10256 of 2024, Computerized Case No. T202416530110256 under Section 24 of the Code, 2006 seeking measurement and *Patthargaddi*.

10.1 Pursuant to directions dated 26.07.2024, the Revenue Inspector submitted a measurement report and map. Vide order dated 30.11.2024, *Patthargaddi* was directed. Subsequently, the Revenue Inspector reported on 13.01.2025 that police force was required. Correspondence ensued between the Sub Divisional Magistrate and District Magistrate, culminating in a report dated 21.03.2025, which indicated that demarcation and *Patthargaddi* cannot be carried out without sufficient police force. Hence, the present writ petition has been filed.

**Writ-C No.40165 of 2025 : Vinod Kumar Gupta vs. State of Uttar Pradesh**

11. Petitioner's father was recorded in the Khatauni of Gata No. 833, area 0.0220 hectare. Upon his death on 26.04.2021, the petitioner and his brother were mutated and remained in possession. Subsequently, the petitioner's brother filed an application dated 24.12.2024 under Section 24 of the U.P. Revenue Code, 2006 for demarcation after depositing challan on 23.12.2024.

11.1 Inspection was conducted and reports were submitted between 25.04.2025 and 23.07.2025. Despite orders restraining illegal construction and a final demarcation order dated 30.07.2025, the authorities failed to enforce the same, resulting in illegal construction by respondents. Even after application dated 06.11.2025, no action was taken, compelling the petitioner to file the present writ petition.

**Writ-C No.35626 of 2025 : Smt. Sirjawati v. State of Uttar Pradesh**

12. Petitioner, a *Bhumidhar* with transferable rights over Plot No. 1411, area 0.4950 hectare, filed Case No. 6797 of 2025 under Section 24 of the Code, 2006 for permanent demarcation. Upon calling for reports, the Revenue Inspector submitted the demarcation report and field book, which was approved by respondent no. 4.

12.1 By order dated 28.02.2025, respondent no. 3 directed permanent demarcation within 15 days. Despite lapse of more than eight months, the said order has not been complied on the spot, causing irreparable loss to the petitioner. Hence, the present writ petition has been filed.

**Common Grievance of the Petitioners**

13. Submissions made on behalf of the petitioners may be summarised as follows:

13.1 Although the proceedings under Section 24 of the Code, 2006, which are summary in nature, have already culminated in final orders in favour of the petitioners, the statutory authorities have failed to execute the said orders, thereby rendering the entire proceedings ineffective.

13.2 The respondents have deliberately delayed execution, adopted obstructive tactics, and failed to discharge their statutory and administrative duties, despite repeated requests.

13.3 On account of the respondents' inaction, the petitioners continue to suffer, and the purpose of the demarcation orders stand frustrated.

13.4 The acts and omissions of the respondent authorities are arbitrary, illegal, unreasonable, and contrary to the provisions of the Code, 2006, warranting interference by this Court.

## **State's Response**

14. In response, learned Additional Advocate General appearing for the State-respondents has submitted that the Code, 2006 provides an exhaustive procedure to deal with disputes regarding boundaries. Section 24 of the Code, 2006 read with Rule 22 of the U P Revenue Code Rules, 2016<sup>3</sup> delineates the procedural details which are to be followed for demarcation of boundaries. Referring to Section 24 of the Code, 2006, it was submitted that on an application, raising dispute regarding boundaries, the SDO, is to decide by a summary enquiry, on the basis of existing survey maps or, where they have been revised in accordance with the provisions of the Uttar Pradesh Consolidation of Holdings Act, 1953, on the basis of such maps, and if this is not possible, the boundaries shall be fixed on the basis of actual possession.

15. It was further submitted that as per sub-section (2) of Section 24 of the Code, 2006, if in the course of an inquiry into a dispute under sub-section (1), the SDO is unable to satisfy himself as to which party is in possession or if it is shown that possession has been obtained by wrongful dispossession of the lawful occupant, the SDO shall, in the first case, ascertain by summary inquiry who is the person best entitled to the property, and shall put such person in possession; in the second case, put the person so dispossessed in possession, and for that purpose use or cause to be used such force as may be necessary and shall then fix the boundary accordingly.

16. It was pointed out that the procedure to be followed in this regard is under Rule 22 of the Rules, 2016, which provides that the demarcation report along with site memo is to be prepared by the Revenue Inspector, thereafter on receipt of the said report, the SDO, after giving opportunity to the concerned parties, and fixing a date of hearing, is to pass an order. The order so passed is thereafter to be complied with by the Revenue Inspector with a report being submitted to the SDO.

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<sup>3</sup> Rules, 2016

17. Learned Additional Advocate General submits that the State Government with an intent to ensure expeditious and effective disposal of the matters, has issued various Government Orders/Circulars from time to time. It was pointed out that taking note of the fact that the cases filed under Section 24 of the Code, 2006 are being disposed of/consigned to the record without ensuring actual demarcation on the spot, the State has issued circular dated 16.12.2025, in order to ensure that after passing of the order by the Sub-Divisional Magistrate under Section 24 of the Code, 2006, the demarcation process is carried out in accordance with law within the specified time frame with a further provision for physical verification of the same. It is submitted that directives have been issued to obtain geo-tagged photographs along with the physical verification report and to upload the same on the RCCMS portal. It has also been provided that strict action be initiated against the concerned officers if the proceedings under Section 24 of the Code, 2006 are concluded without due physical verification. A copy of the circular dated 16.12.2025 issued by the State Government has been placed on record along with a short Counter Affidavit filed on behalf of the State-respondents.

### **Analysis and Discussion**

18. In order to appreciate the rival contentions, the provisions with regard to settlement of boundary dispute contained in Section 24 of the Code, 2006, are required to be adverted. For ease of reference, Section 24 of the Code, 2006 is being extracted below:

**“24. Disputes regarding boundaries.** (1) The SDO may, on his own motion or on an application made in this behalf by a person interested, decide, by summary inquiry, any dispute regarding boundaries on the basis of existing survey map or, where they have been revised in accordance with the provisions of the Uttar Pradesh Consolidation of Holding Act, 1953, on the basis of such maps, but if this is not possible, the boundaries shall be fixed on the basis of actual possession.

(2) If in the course of an inquiry into a dispute under sub- section (1), the SDO is unable to satisfy himself as to which party is in possession or if it is shown that possession has been obtained by wrongful dispossession of the lawful occupant, the SDO shall -

- (a) in the first case, ascertain by summary inquiry who is the person best entitled to the property, and shall put such person in possession;
- (b) in the second case, put the person so dispossessed in possession, and for that purpose use or cause to be used such force as may be necessary and shall then fix the boundary accordingly.
- (3) Every proceeding under this section shall, as far as possible, be concluded by the SDO within [three months] from the date of the application.
- (4) Any person aggrieved by the order of the SDO may prefer an appeal before the Commissioner within 30 days of the such order. The order of the Commissioner shall, subject to the provisions of Section 210, be final."

19. Rule 22 of the Rules, 2016, which relates to settlement of boundary dispute is also being reproduced below:

**22. Settlement of boundary dispute [Section 24].** – (1) Under section 24 (1) of the Code the tenure-holder shall submit two copies of the application for settlement of boundary dispute to the Sub-Divisional-Officer for one or more than one contiguous gatas, and it shall contain the following particulars:

- (a) *Details of Gata* – Gata number, name of tenure holder, father/husband's name, name of village /tehsil. If the tenure holders are more than one, then particulars of all shall be mentioned; current updated khatauni shall also be attached to the application.
- (b) *Details of contiguous Gata* – Gata Number, name of tenure holder, father/husband's name, name of village/tehsil. If the tenure holders are more than one, then particulars of all shall be mentioned. Current updated khatauni shall also be attached to the application.
- (2) If the khata is different in khatauni, but sub-division is not done in *sazra-map*, then sub-division in *sazra-map* shall be necessary.
- (3) If boundary of any property of Gram Panchayat/State Government is adjacent to gata/gatas to be demarcated, then the Chairman, Land Management Committee/Gram Pradhan and the State Government shall be made a party in the case.
- (4) Only the outer boundary shall be demarcated for an application made for boundary demarcation of continuous gatas.
- (5) The applicant shall deposit a fee of Rs.1000/- in Government treasury for the demarcation of gata/attached gatas. A copy of challan receipt shall also be attached with the application form.
- (6) On receipt of an application for demarcation, on the same or next working day, the Sub-Divisional-Officer shall register the case in Revenue Court Computerised Management System (RCCMS). Three copies of notices shall be issued from the computerized system and will be delivered to the Revenue Inspector through Tehsildar.

(7) The Revenue Inspector shall serve notice to the concerned tenure holder/tenure holders as mentioned in sub-rule (1), through the Lekhpal or through any other mode. In absence of the tenure holders, notice will be served to the adult family member of the tenure holder/tenure holders. The information of demarcation shall also be given to the Chairman, Land Management Committee.

(8) At the time of sending the information or before the demarcation on site, if the Revenue Inspector wants to make any other affected person, a party to the case he can do so.

(9) After fixing the date of demarcation and intimation to all the concerned tenure holders, the Revenue Inspector or any other revenue official will demarcate the land, parcel or parcels, as the case may be, During demarcation if any affected tenure holder is not a party to the case, such tenure holder shall be made a party to the case by the Revenue Inspector on the spot-And he will mention..the same in his demarcation report. Demarcation shall be completed within a month from the date of order for the same by the Sub-Divisional-Officer.

(10) The Revenue Inspector or other revenue officials shall prepare the demarcation report along with the site memo. If there are no objections to the same, then after getting the consent and signature of all the concerned parties on the demarcation report, the same shall be sent it to the Sub-Divisional-Officer through Tehsildar in a week. On receipt of the aforesaid report of the Revenue Inspector, the Sub-Divisional-officer will pass the order confirming the demarcation report.

(11) If the affected parties to the demarcation have not given their consent to the demarcation, or if there is any objection to the demarcation report, notice (s) will be issued by the Sub-Divisional-Officer to all the parties, fixing a date of hearing which shall not be beyond 15 days from the date of issuance of notice.

(12) The Sub-Divisional-Officer shall pass an order on the matter of boundary demarcation after hearing all the concerned parties. The Revenue Inspector shall comply with such order within two weeks from the date of order, and shall submit his report to the Sub-Divisional-Officer.

(13) Where the boundary of gata/survey number is not recognizable due to *alluvion* or *diluvion* of land, or heavy rain, or due to damage caused by any other reason, then on the application of the Chairman of village Revenue Committee of that village, or on the report of the Revenue Inspector or Lekhpal, or on the joint application signed by all the concerned parties, the Sub-Divisional-Officer shall instruct the Revenue Inspector or Lekhpal by a general or special order in writing, that the demarcate the boundary on ground on the basis of current survey map or, where it is possible, on the basis of possession, and if there is any complaint, then on the advice of Village Revenue Committee, resolve the same on the basis of mutual consent. The Revenue Inspector or Lekhpal shall comply with such order within two weeks from the date of order, and will submit his report to the Sub-Divisional-Officer.

(14) At the time of passing order for demarcation under sub-rules (10), (13) or (14), the Sub-Divisional-Officer can direct the SHO of the concerned police station to make police force available on the spot at the time of demarcation of land, in order to maintain law and order.

(15) The SDO, will try to complete the process within the stipulated time as mentioned in section 24(3) of the Code and if the process is not completed within such time then the reason for the same shall be recorded.”

20. It would be apposite to refer to the Government Order dated 16.12.2025 in terms of which, guidelines have been issued for strict and effective compliance of orders passed under Section 24. Relevant extract of the said Government Order is as follows:

“4- उपर्युक्त के दृष्टिगत मुझे यह कहने का निर्देश हुआ है कि धारा-24 के वादों के निस्तारण हेतु राजस्व संहिता, 2006/नियमावली 2016 में विहित प्राविधानों के अनुक्रम में निम्नवत दिशा निर्देशों का भी कड़ाई से अनुपालन सुनिश्चित कराया जाये:-

1. उ0प्र0 राजस्व संहिता/नियमावली में प्राविधानित व्यवस्था के अनुसार धारा-24 के वाद में उपजिलाधिकारी द्वारा आदेश पारित करने के पश्चात भौतिक चिन्हांकन (पत्थर नसब) की कार्यवाही निर्धारित समय में कराते हुये उक्त कार्यवाही का भौतिक सत्यापन अवश्य कराया जाये।

2. भौतिक चिन्हांकन (पत्थर नसब) की कार्यवाही किये जाने के स्थलीय फोटोग्राफ जियो लोकेशन सहित प्राप्त किये जायें।

3. भौतिक चिन्हांकन (पत्थर नसब) की कार्यवाही की सत्यापन आख्या को आर0 सी0 सी0 एम0 एस0 पोर्टल पर अपलोड कराने हेतु प्रारूप निर्धारित किये जाने की व्यवस्था राजस्व परिषद द्वारा शीघ्र विकसित की जाये।

4. भौतिक चिन्हांकन (पत्थर नसब) की कार्यवाही का भौतिक सत्यापन कराये बिना पत्रावली दाखित दफ्तर करने हेतु उत्तरदायी अधिकारियों के विरुद्ध कठोर कार्यवाही सुनिश्चित की जाये।”

### **(English Translation)**

“4. In view of the aforesaid, I am directed to state that, in pursuance of the provisions of the Uttar Pradesh Revenue Code 2006 /Rules, 2016 relating to the disposal of cases

under section 24, the following guidelines shall also be strictly adhered to:

1. In accordance with the provisions of the Uttar Pradesh Revenue Code/Rules, upon the passing of an order under section 24 by the Sub-Divisional Magistrate, physical demarcation (*Patthar Nasab*) shall be carried out within the prescribed time-limit, and physical verification of the said demarcation shall be mandatorily ensured.
2. On-site photographs with embedded geo-location data shall be taken for physical demarcation (*Patthar Nasab*).
3. The Board of Revenue shall expeditiously develop a prescribed format for uploading the physical verification report of the demarcation (*Patthar Nasab*) process on the RCCMS portal.
4. Strict disciplinary action shall be initiated against the officers concerned who consign the records without ensuring physical verification of the physical demarcation (*Patthar Nasab*)."

21. The present batch of writ petitions bring to the fore a seemingly systemic inaction of the concerned revenue authorities. The petitions herein raise a common grievance – the non execution of final demarcation orders passed under Section 24 of the Code, 2006. Despite having successfully navigated the statutory procedures undergoing summary inquiries, site inspections, and obtaining final execution orders for affixation of boundary marks, the petitioner find themselves to be in a situation where the end relief remains illusionary. The orders in their favour remain on paper, unimplemented on the spot due to inaction on part of the revenue authorities.

### **The Mandate of Section 24**

22. Section 24 of the Code, 2006 provides a statutory mechanism for the resolution of disputes relating to boundaries of land or villages through a summary inquiry conducted by the SDO.

23. Under the said provision, the SDO is empowered to initiate proceedings either *suo motu* or on an application made by an interested person and to decide such disputes by adopting a summary procedure. The determination of boundaries is required to be made on the basis of existing survey maps and, where such maps have been revised under the Uttar Pradesh Consolidation of Holdings Act, 1953, on the basis of the revised maps. In situations where boundary determination is not feasible with reference to maps, the SDO is mandated to fix boundaries on the basis of actual possession.

24. During the course of the inquiry, where the SDO is unable to satisfy himself as to which party is in possession, he is required to ascertain by summary inquiry who is the person best entitled to the property and to place such person in possession. Further, if it is found that possession has been obtained by wrongful dispossession, the SDO is statutorily obligated to restore possession to the dispossessed party and is vested with the authority to use such force as may be necessary for that purpose, followed by affixation of boundaries accordingly.

25. The proceedings under Section 24 are summary in nature and are required to be concluded, as far as practicable, within a period of three months from the date of application. Any person aggrieved by an order passed by the SDO under this section has a statutory right of appeal to the Commissioner within thirty days from the date of the order.

26. The scheme of Section 24 thus underscores the legislative intent to provide a speedy and effective mechanism for resolution of boundary disputes, based on documentary evidence in the form of survey maps or, where necessary, on evidence of actual possession.

### **Enforcement of Possession under Section 24**

27. Possession pursuant to an order passed under Section 24 of the Uttar Pradesh Revenue Code is an integral component of the summary inquiry itself. The SDO is expressly empowered to restore or secure possession in favour of the entitled party while deciding the boundary dispute.

28. Where it is established that a party has been wrongfully dispossessed, the SDO is vested with the authority to restore possession to the dispossessed person. The provision further confers upon the SDO the power to employ necessary force to give effect to such restoration, thereby combining quasi-judicial determination with executive enforcement to ensure the efficacy of the order.

29. Section 24 provides a speedy, statutory recourse for resolution of boundary disputes with direct possession enforcement powers. In cases where determination by reference to maps is not possible, possession is required to be assessed on the basis of actual physical possession at the time of inquiry, and boundaries are to be fixed accordingly. The statutory object of Section 24 is to avoid protracted litigation and to ensure prompt resolution of boundary disputes along with effective delivery of possession.

30. Although an appeal lies to the Commissioner against an order passed under Section 24, the order of the SDO, including directions relating to possession, remains operative and enforceable unless stayed or set aside by the appellate authority.

### **Time Frame for Ensuring Possession**

31. Section 24 mandates that the entire summary proceeding, including the determination of boundaries and restoration or fixation of possession, shall be completed, as far as possible, within a period of three months from the date of the application. The statutory timeline reflects the legislative intent that possession must be effectively ensured and the boundary dispute settled within the three-month window, ensuring a speedy resolution mechanism. The SDO's order, including

possession restoration if required, should ideally be executed within this time frame to fulfill the mandate of expedited inquiry under Section 24.

### **The procedural rigour of Rule 22**

32. Rule 22 prescribes procedural requirements for applications under Section 24, mandating the submission of updated *khatauni*, particulars of all tenure holders, and accurate reference to land parcels. Compliance is mandatory for a valid summary inquiry.

33. In terms of Rule 22, an application under Section 24(1) is required to be submitted in duplicate before the SDO. The application must disclose complete particulars of the disputed land, including the Gata number, name of the tenure holder, parentage or spousal details, and the village and tehsil concerned. Where the land is jointly held, particulars of all tenure holders are required to be furnished. The application must further be accompanied by an updated *khatauni* of all parties involved.

34. Where the dispute relates to contiguous Gata numbers, the particulars of such adjoining plots, along with corresponding details of tenure holders and updated *khatauni* records, are also required to be annexed. In cases where the *khata* is shown separately in the *khatauni* but no corresponding sub-division exists in the *sazra* map, Rule 22 mandates that such sub-division be carried out in the *sazra* map is necessary.

35. Upon receipt of an application for demarcation, the SDO is required, on the same day or on the next working day, to register the case in the Revenue Court Computerized Management System (RCCMS). Thereafter, three copies of the notice shall be generated from the computerized system and to be delivered to the Revenue Inspector through the Tehsildar for due service and further necessary action.

36. The Revenue Inspector, thereafter, is to ensure service of notice upon the concerned tenure holder or tenure holders, as referred to in sub-rule (1), either through the *Lekhpal* or by any other mode. In the event of absence of such tenure holder or tenure holders, service of notice is to

be effected upon an adult member of the family. The information regarding the proposed demarcation is to be communicated to the Chairman, Land Management Committee.

37. The object underlying these procedural requirements is to ensure that complete information relating to the land in dispute and the parties concerned is available before the SDO, thereby facilitating an effective and meaningful summary inquiry.

38. Rule 22 has been consistently interpreted as laying down mandatory procedural requirements which must be complied before proceedings under Section 24 can validly be undertaken. It has been held that non-compliance with Rule 22, including failure to file updated *khatauni* records, omission to disclose particulars of all tenure holders, or lack of clarity regarding sub-division in the revenue map, would vitiate the summary inquiry contemplated under Section 24.

39. The SDO is required to satisfy himself, at the threshold, that the application conforms to the requirements of Rule 22, and only thereafter proceed to adjudicate the boundary dispute. Matters under Section 24 are to be decided only after ensuring due compliance with Rule 22, thereby underscoring the mandatory nature of the Rule and the procedural safeguards embedded therein.

40. The procedure prescribed under Rule 22 is not to be a mere technical or formal requirement, but a substantive safeguard intended to prevent ambiguity in land identification, protect the rights of all affected parties, and ensure fairness in summary adjudication. Any order passed under Section 24 in disregard of the requirements of Rule 22 has to be held to be vulnerable to challenge on the ground of procedural illegality.

### **The recent Government Order**

41. In regard to enforcement of orders passed under Section 24, due notice may be taken of a recent Government Order dated 16.12.2025 which reiterates the obligation of the State authorities to ensure physical demarcation and affixation of boundary marks with geo-tagged

photographic evidence, and strict accountability. In particular, it provides for:

- (i) Physical Verification: Mandatory spot verification of demarcation;
- (ii) Geo-tagging: Requirement of geo-tagged photographs of physical verification of affixation of boundary marks to be uploaded on the RCCMS portal; and
- (iii) Accountability: Strict disciplinary action against officers who consign files to record without actual physical verification.

### **Principles governing exercise of Administrative and Quasi-judicial Powers**

42. The SDO, while acting under Section 24, exercises both quasi-judicial and administrative functions. The SDO acts as a quasi-judicial authority at the stage of adjudication and as an administrative/executive authority at the stage of enforcement. The exercise of such powers is regulated by settled principles of administrative and quasi-judicial law as well as by the scheme under the Code, the Rules and executive instructions issued from time to time.

**42.1 Rule of Law, Natural Justice and Fair Procedure:** The SDO is bound by the rule of law and must act within the four corners of the Code, the Rules and binding Government Orders, without being guided by extraneous or irrelevant considerations. As a quasi-judicial authority, the SDO must follow the principles of natural justice, which include: (i) prior notice of the proceedings (ii) a reasonable opportunity of filing objections and of being heard; and (iii) impartial decision making without bias or, pre-determination.

**42.2 Reasoned and Speaking Orders:** Every order under Section 24 must be a speaking order, demonstrating application of mind to (i) pleadings of the parties; (ii) revenue records relied upon (*khatauni, khasra, maps*); (iii) demarcation report and any objections thereto.

The order must clearly: (i) record the facts and the nature of the boundary dispute; (ii) specify the basis on which the boundary is fixed. (iii) record findings on claim of possession or wrongful dispossession,

where applicable; (iv) direct, in explicit terms, demarcation, fixation of boundary pillars and, where necessary, restoration of possession.

Reasoned orders are essential to ensure transparency, accountability, judicial review and to prevent arbitrariness.

**42.3 Time-Bound Decision:** Section 24 confers a summary jurisdiction, intended to afford a speedy and efficacious remedy in boundary disputes without driving parties to prolonged litigation. The SDO is under a statutory obligation to endeavour to conclude proceedings within the prescribed period of three months under the Code and to ensure that all consequential steps are undertaken within the stipulated time frame. Unexplained or avoidable delay in deciding the case or in implementing the final order constitutes failure of statutory duty.

**42.4 Enforcement as Integral Part:** Unlike purely judicial orders, quasi-judicial administrative orders include enforcement powers—possession restoration and use of force—to achieve effective resolution. The power under Section 24 is not confined to mere adjudication; it expressly includes enforcement powers, namely: (i) putting the person “best entitled” in possession when possession is unclear; (ii) restoring possession to a person found to have been wrongfully dispossessed; and (iii) using or causing to be used such force as may be necessary for restoring possession and fixing the boundaries accordingly.

In administrative law terms, effective enforcement is integral to the exercise of quasi-judicial power. An order which is not implemented on the spot reduces the entire proceeding to a paper exercise and defeats the legislative intent. Executive aids (Tehsildar, Revenue Inspector, police authorities) are to be utilized as implementing arms of the SDO’s quasi-judicial order.

**42.5 Appeal Mechanism:** The appeal to the Commissioner serves as an internal check but does not suspend enforcement unless specifically ordered. The statutory appeal to the Commissioner provides an internal check against error, perversity or illegality in the SDO’s order.

However, mere filing of an appeal would not operate as an automatic stay. Unless an express interim order is granted by the appellate authority, the SDO's order remains operative and must be executed. The appellate jurisdiction is also quasi-judicial and is subject to the same requirements of fairness, reasoned decision-making and adherence to statutory limits.

**42.6 Public Interest:** Maintaining land records, avoiding conflict, and upholding possession are vital for public order and governance. In exercising both quasi-judicial and administrative powers, the SDO must balance individual rights with the larger public interest in ensuring (i) sanctity of land records; (ii) predictability and stability of possession; and (iii) avoidance of conflict and law and order issues.

**42.7 General Administrative Law Constraints:** In addition to the above, the exercise of powers by the revenue authorities is to be within the constraints of the general principles governing administrative and quasi-judicial power:

#### **42.8 *Ultra vires* and Jurisdictional limits**

The proceedings contemplated under Section 24 of the Code, 2006, are inherently summary in nature and are strictly confined to the demarcation of boundaries and restoration of possession based on the relevant revenue records. The jurisdiction of the SDO under this provision does not extend to the adjudication of complex questions of title or ownership. In cases where a genuine dispute regarding title arises, the SDO's authority remains limited to the determination of boundaries; any attempt to adjudicate proprietary rights under the guise of a Section 24 inquiry would be *ultra vires* and beyond the scope of the powers to be exercised.

#### **42.9 Non-arbitrariness and equality**

Discretion must not be exercised arbitrarily, capriciously or selectively. Similarly situated litigants in boundary disputes should receive consistent treatment, in line with statutory provisions.

#### **42.10 Proportionality and minimal intrusion**

Use of force for restoration of possession must be proportionate, necessary and limited to the extent required to secure compliance with the order and to maintain peace.

### **Guidelines for Enforcement of Orders under Section 24**

43. In order to ensure effective implementation of orders passed under Section 24 of the Code, 2006 and to obviate recurring grievances arising out of non-enforcement of such orders, it is deemed appropriate to formulate certain broad guidelines, keeping in view the statutory provisions and relevant government orders.

#### **I. Pre-Adjudication: Application & Registration :**

The revenue authorities, at the threshold, are to ensure that every application filed under Section 24 of the Code is in strict conformity with the statutory mandate, (Section 24 of the Code, 2006; Rule 22 of the Rules, 2016), Government Orders dated 16.12.2025 and administrative law principles. The application under Section 24 is to fully comply Rule 22 requirements—two copies containing Gata particulars, updated khatauni, contiguous Gata details and challan receipt, before proceedings commence. On receipt of an application for demarcation, on the same or next working day, the SDO shall register the case in Revenue Court Computerised Management System (RCCMS). Three copies of notices shall be issued from the computerized system and would be delivered to the Revenue Inspector through Tehsildar.

#### **II. Demarcation & Inquiry:**

After fixing the date of demarcation and intimation to all the concerned tenure holders, the Revenue Inspector or any other revenue official would demarcate the land, parcel or parcels, as the case may be, During demarcation if any affected tenure holder is not a party to the case, such tenure holder shall be made a party to the case by the Revenue Inspector on the spot and same would be mentioned in the demarcation

report. Demarcation shall be completed within a month from the date of order for the same by the SDO.

The Revenue Inspector shall prepare the demarcation report along with site memo. If there are no objections to the same, then after getting the consent and signature of all the concerned parties on the demarcation report, the same shall be sent it to the SDO through Tehsildar within a week. On receipt of the report, the SDO shall pass order confirming the same. If the affected parties do not give their consent or if there is any objection to the demarcation report, notice would be issued by the SDO to all parties, fixing a date of hearing which shall not be beyond 15 days from the date of notice, and thereafter, pass an order of boundary demarcation after hearing all concerned parties.

### **III. Execution, Physical enforcement, Prompt and Effective restoration of Possession :**

The SDO, after having ascertained by summary inquiry the person best entitled to the property, shall put such person in possession. If in the course of inquiry, it is shown that possession has been obtained by wrongful dispossess of the lawful occupant, the SDO shall put the person, so dispossessed in possession and for that purpose use or cause to use such force as may be necessary and shall be fixed the boundary accordingly. SDO's written requisition to Station House Officer under Rule 22(14) for police force would be mandatory where any resistance or obstruction is apprehended. The SDO would endeavour to complete the process within the stipulated time period of three months as specified in Section 24 (3) and, if the process is not completed within such time, then reason for the same shall be recorded.

### **IV. Post-Execution Compliance & Reporting:**

Compliance report detailing pillar locations, possession status must accompany geo-tagged photographs (GPS-enabled) and form part of record. RCCMS upload of verification report in Board of Revenue-prescribed format would be mandatory.

**V. Expedited disposal of Appeals:**

Appeals preferred before the Commissioner against orders passed under Section 24 shall be taken up and disposed of with promptitude. As a matter of practice, such appeals should ordinarily be decided without undue delay. Mere filing would cause no automatic stay - execution is to continue unless express interim stay granted. Pendency of Section 30 proceedings or title dispute would *ipso facto* not suspend Section 24 execution in the absence of any stay order having been granted.

**VI. Interim protection and preventive measures:**

Pending inquiry/enforcement, SDO may pass interim orders including maintaining of status quo, restraining illegal construction, interference, or dispossession. Where disputes threaten breach of peace, SDO shall exercise administrative powers concurrently for urgent possession restoration. The police authorities shall render requisite protection and assistance in discharge of their duties.

**VII. Enforcement of the order as part of proceedings:**

An application under Section 24 is not to be treated to be 'decided' and proceedings not 'concluded' unless affixation of boundary marks consequent to the order under the section has been made on the spot. The file is not to be consigned to the record room unless a physical verification report with geo-tagged photograph is uploaded.

**VIII. Monitoring Reporting and Accountability:**

The SDO shall maintain periodic records of compliance showing the status of enforcement of orders passed under Section 24.

**IX. Accountability and Consequences of Non-compliance:**

Persistent delay beyond statutory timelines, repeated non-execution or any willful failure/deliberate inaction on the part of the officials in complying with orders relating to possession shall invite appropriate departmental action.

**X. Implementation Protocol:**

Board of Revenue shall endeavour to expeditiously develop Standard Operating Procedures for RCCMS verification format and also appropriate training modules for the concerned revenue officers.

**XI. Jurisdictional limits:**

These proceedings, being summary, exclude genuine title disputes—SDO jurisdiction being strictly confined to boundary disputes and possession. Complex ownership claims would require civil adjudication; and any overreach would render the orders *ultra vires*.

**Directions and Disposal**

44. Section 24 of the UP Revenue Code, 2006 vests the SDO with statutory quasi-judicial powers for summary settlement of boundary disputes coupled with mandatory enforcement authority for demarcation and possession restoration. Execution is not discretionary but integral to the provision's efficacy—failure to enforce renders the entire summary mechanism otiose and defeats the legislative intent. The broad guidelines formulated aim at providing for a structured framework harmonizing statutory mandates (Section 24 of Code, 2006; Rule 22 of Rules, 2016), executive instructions (Government Order dated 16.12.2025), administrative law principles, and constitutional imperatives of fairness and public order. The concerned respondents, in particular the SDO and Collector, are under law bound to ensure that orders under Section 24 are effectively enforced.

45. The Secretary, Department of Revenue, State of Uttar Pradesh, shall ensure statewide circulation of aforesighted guidelines to all revenue authorities within the State. A mechanism for providing mandatory training and RCCMS protocol compliance may also be ensured.

46. The respondents, particularly the concerned SDOs are directed forthwith to execute all subject orders in the instant batch of writ petition, **within four weeks from the date of production of a certified copy of this order**, strictly as per approved site memo/demarcation

report, by ensuring affixation of boundary marks and also possession restoration, wherever required.

47. The writ petitions are **disposed** in the manner as indicated above.

**(Dr. Yogendra Kumar Srivastava, J.)**

**December 18, 2025**

RKK/-