



2026:AHC-LKO:42170

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - B No. - 555 of 2026

Uday Bhan

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Revenue Lko. U.P. And 6
Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ram Milan Yadav
Counsel for Respondent(s)	:	C.S.C., Sunil Kumar

Court No. - 3

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Ram Milan Yadav, learned counsel for petitioner, Sri Sandeep Sharma, learned Standing Counsel for respondent no.1 to 4 and Sri Anil K. Tripathi, Advocate who has filed vakalatnama on behalf of respondent no.5, 6 and 7 which is taken on record.
2. As no factual points are proposed to be pressed by learned counsel for petitioner, learned counsel for respondents have agreed for advancing the submissions on final disposal of the case without filing counter affidavit at this stage.
3. By means of the instant petition filed under Article 226 of the Constitution of India, petitioner has challenged the validity of an order dated 29.05.2026 passed by the Board of Revenue, U.P., Lucknow in REV/1994/2026/Sultanpur, under Section 219 of U.P. Land Revenue Act, 1901, whereby the revision filed by opposite party no.5, 6 and 7 against an order dated 21.05.2026 passed by Additional Commissioner (Judicial), Ayodhya Division, Ayodhya in Case No.1064 of 2026, under Section 219 of U.P. Land Revenue Act, 1901 has been admitted and the operation and effect of the order dated 21.05.2026 has been stayed.
4. The learned counsel for the petitioner has invited attention of the Court to the provisions contained in Section 219 of U.P. Land Revenue Act, 1901, which is as follows:-

"219. Revision. - (1) The Board or the Commissioner or the Additional Commissioner or the Collector or the Record Officer, or the Settlement Officer, may call for the record of any case decided or proceeding held by any revenue Court subordinate to him in

which no appeal lies or where an appeal lies but has not been preferred, for the purpose of satisfying himself as to the legality or propriety of the order passed or proceeding held and if such subordinate revenue Court appears to have -

(a) exercised a jurisdiction not vested in it by law, or

(b) failed to exercise a jurisdiction so vested, or

(c) acted in the exercise of jurisdiction illegally or with material irregularity, the Board or the Commissioner or the Additional Commissioner or the Collector or the Record Officer, or the Settlement Officer, as the case may be, pass such order in the case as he thinks fit.

(2) If an application under this section has been moved by any person either to the Board, or to the Commissioner, or to the Additional Commissioner, or the Collector or to the Record Officer or to the Settlement Officer, no further application by the same person shall be entertained by any other of them."

5. By the impugned order, the Board of Revenue has admitted the revision filed against an order dated 21.05.2026 passed by the Additional Commissioner (Judicial) Ayodhya in Case No.1064 of 2026, whereby the Additional Commissioner has merely admitted the revision filed under Section 219 of U.P. Land Revenue Act, 1901 against an order dated 28.01.2025 passed by the Sub-Divisional Magistrate, Kadipur, Sultanpur, after hearing submissions of learned counsel for parties and has passed an interim order directing the parties to maintain status-quo.

6. Learned counsel for petitioner has submitted that order dated 21.05.2026 passed by the Additional Commissioner admitting the revision filed under Section 219 of U.P. Land Revenue Act, 1901 does not amount to a case decided and, therefore, no revision would lie under Section 219 against an order admitting the revision filed under Section 219 of U.P. Land Revenue Act, 1901.

7. Learned counsel for respondent no.5, 6 and 7 has tried to justify the order by submitting that the Additional Commissioner has passed the order dated 21.05.2026 without taking into consideration the relevant factual aspect of the matter. However, he could not dispute the fact that the order dated 21.05.2026 does not decide any case.

8. In view of the aforesaid facts and circumstances of the case and the provisions contained under Section 219 of U.P. Land Revenue Act, 1901, I find force in the submission of learned counsel for petitioner and I am of the view that as the order dated 21.05.2026

passed by Additional Commissioner (Judicial) Ayodhya Division Ayodhya does not decide any case and it merely admits revision for hearing, no revision would lie against the order admitting the revision and staying the operation of the order under challenge.

9. Accordingly, present petition is **allowed**.

10. The impugned order dated 29.05.2026 passed by Board of Revenue in REV/1994/2026/Sultanpur, under Section 219 of U.P. Land Revenue Act, 1901 titled as 'Jamuna Prasad Verma and Others Vs. Uday Bhan and Others' is unconstitutional in law and is quashed.

11. It is left open for the respondent no.5, 6 and 7 to file an application before the Additional Commissioner in pending Revision No.1064 of 2026 raising all the pleas available to them and the learned Additional Commissioner will decide the revision after taking into consideration the pleas raised by the parties, expeditiously in accordance with law.

(Subhash Vidyarthi,J.)

June 29, 2026
Arti/-