



2026:AHC:34863

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 3792 of 2026

Sirajuddin

.....Petitioner(s)

Versus

Ashutosh Prajapati And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Saurabh Singh, Suresh Kumar Maurya
Counsel for Respondent(s)	:	C.S.C., Rameshwar Prasad Shukla

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Supplementary affidavit has been filed today, the same is taken on record.
2. In the proceedings initiated by the petitioner under Section 24 of the U.P. Revenue Code, 2006, an order was passed in his favour on 26.04.2025. Aggrieved against the aforesaid, Respondent No.1 namely Ashutosh Prajapati preferred an appeal as provided under sub Section (4) of Section 24 of the U.P. Revenue Code, 2006 before the Respondent no.2.
3. Since appeal was time barred, an application for condonation of delay was also filed. In the aforesaid appeal without providing an opportunity of hearing to the petitioner the delay was condoned and the appeal was admitted and status quo on the spot are directed to be maintained.
4. It is argued that the delay was condoned without providing an opportunity of hearing to the petitioner. It is further argued that though an interim protection in the nature of status quo has been granted in favour of the Respondent No.1 but no reasons were assigned by the Respondent No.2 while passing the aforesaid order. In support of the aforesaid arguments he placed reliance upon judgment and order passed by the Hon'ble Apex Court in the case of **Kranti Associates Private Limited and Another vs. Masood Ahmed Khan and others** reported in **(2010) 9 Supreme Court Cases 496**. Paragraph-47 of the aforesaid judgment is reproduced herein-below:-

"47. Summarizing the above discussion, this Court holds:

- a. In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially.*
- b. A quasi-judicial authority must record reasons in support of its conclusions.*
- c. Insistence on recording of reasons is meant to serve the wider principle*

of justice that justice must not only be done it must also appear to be done as well.

d. Recording of reasons also operates as a valid restraint on any possible arbitrary exercise of judicial and quasi-judicial or even administrative power.

e. Reasons reassure that discretion has been exercised by the decision maker on relevant grounds and by disregarding extraneous considerations.

f. Reasons have virtually become as indispensable a component of a decision making process as observing principles of natural justice by judicial, quasi-judicial and even by administrative bodies.

g. Reasons facilitate the process of judicial review by superior Courts.

h. The ongoing judicial trend in all countries committed to rule of law and constitutional governance is in favour of reasoned decisions based on relevant facts. This is virtually the life blood of judicial decision making justifying the principle that reason is the soul of justice.

i. Judicial or even quasi-judicial opinions these days can be as different as the judges and authorities who deliver them. All these decisions serve one common purpose which is to demonstrate by reason that the relevant factors have been objectively considered. This is important for

sustaining the litigants' faith in the justice delivery system.

j. Insistence on reason is a requirement for both judicial accountability and transparency.

k. If a Judge or a quasi-judicial authority is not candid enough about his/her decision making process then it is impossible to know whether the person deciding is faithful to the doctrine of precedent or to principles of incrementalism.

l. Reasons in support of decisions must be cogent, clear and succinct. A pretence of reasons or 'rubber-stamp reasons' is not to be equated with a valid decision making process.

m. It cannot be doubted that transparency is the sine qua non of restraint on abuse of judicial powers. Transparency in decision making not only makes the judges and decision makers less prone to errors but also makes them subject to broader scrutiny. (See David Shapiro in Defence of Judicial Candor (1987) 100 Harward Law Review 731-737).

n. Since the requirement to record reasons emanates from the broad doctrine of fairness in decision making, the said requirement is now virtually a component of human rights and was considered part

of Strasbourg Jurisprudence. See Ruiz Torija v. Spain (1994) 19 EHRR 553, at 562 para 29 and Anya vs. University of Oxford, 2001 EWCA Civ 405 (CA), wherein the Court referred to Article 6 of European Convention of Human Rights which requires, "adequate and intelligent reasons must be given for judicial decisions".

o. In all common law jurisdictions judgments play a vital role in setting up precedents for the future. Therefore, for development of law, requirement of giving reasons for the decision is of the essence and is virtually a part of "Due Process".

5. From perusal of the order dated 18.09.2025 it is clear that aforesaid order has been passed by the Respondent No.2 without assigning any reasons whatsoever. In this view of the matter, the Court is of the opinion that order has passed in complete violation of law laid down by the Hon'ble Apex Court in the case of Kranti Associates Private Limited (Supra) and also in violation of principle of natural justice. Hence the same is liable to be set aside.

6. In view of above, order dated 18.09.2025 passed by the Additional Commissioner (Judicial), Azamgarh Division, Azamgarh in Case No.1906 of 2025, Computerized Case No.C202515000001906 (Ashutosh Prajapati vs. SDM, Martinganj, Azamgarh) filed under Section 24(4) of the U.P. Revenue Code, 2006 is liable to be set aside and is hereby quashed.

7. Respondent No.2 namely Additional Commissioner (Judicial), Azamgarh Division, Azamgarh is directed to pass a fresh order strictly in accordance with law after providing an opportunity of hearing to the parties concerned and without influence with the observations made by this Court.

8. With the aforesaid observations, the writ petition is **allowed**.

(Prakash Padia,J.)

February 17, 2026
Swati