



2026:AHC:19785

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 1457 of 2026

Jagdish And Another

.....Petitioner(s)

Versus

State Of Up And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Jata Shankar Pandey, Suresh Kumar Pandey
Counsel for Respondent(s)	: Avinash Chandra Srivastava, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. It is argued by counsel for the petitioners that lease deed was granted in their favour which was duly approved by the competent authority on 07.01.2004 thereafter wholly illegally certain strangers filed recall application before the respondent no.4, which was allowed by him vide order dated 23.04.2008. Aggrieved against the aforesaid statutory revision as provided under Section 198 (4) was filed by the petitioners along-with the application for condonation of delay, which was dismissed by the respondent no.4.

2. Aggrieved against the aforesaid order an application for restoration was filed, which was also dismissed by the respondent no.4 vide order dated 16.05.2024. Aggrieved against the aforesaid revision under Section 333 of the U.P.Z.A. & L.R. Act was filed by the petitioner, which was dismissed by the respondent no.4 vide order dated 08.12.2025 hence present writ petition.

3. From perusal of the record it transpires that the order dated 23.04.2008 passed by the respondent no.4 by which deed granted in favour of the petitioners were cancelled is a non speaking order. The restoration application filed against the said order was also rejected without considering the aforesaid aspect of the matter.

4. In this view of the matter, the Court is of the opinion that since the order dated 23.04.2008 passed by the respondent no.4 is a non speaking order hence same is also liable to be set aside and is hereby quashed. The

subsequent, order passed thereafter are also quashed.

5. With the aforesaid observations, present writ petition is allowed. No order as to costs.

6. Respondent no.4-Sub Divisional Officer/Sub Divisional Magistrate, Tehsil-Maat, District Mathura is directed to pass fresh order after providing opportunity of hearing to the parties concerned.

(Prakash Padia,J.)

January 29, 2026

Pramod Tripathi