



2026:AHC:27194

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 2034 of 2026

Jahid Ali

.....Petitioner(s)

Versus

State Of U.P. And 5 Other

.....Respondent(s)

Counsel for Petitioner(s)	: Santosh Kumar Tiwari, Subodh Pandey
Counsel for Respondent(s)	: C.S.C., Sher Bahadur Singh

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Heard Sri Subodh Pandey, learned counsel for the petitioner and Sri Kartikeya Saran, learned Additional Advocate General assisted by Sri Vijay Shankar Prasad, learned Additional Chief Standing Counsel for the State-respondents.

2. The proceedings initiated against the petitioner on the application filed by the respondent Nos.5 & 6 which was registered as Case No.2300 of 2024 (Computerized Case No.D202412070002300) (Mujjakr Ali Vs. Zahid Ali). In the aforesaid proceedings, order has been passed by the respondent No.3/Additional Collector (Finance & Revenue), Budaun on 29.7.2025 by which lease deed granted to the petitioner has been cancelled.

3. It is argued by learned counsel for the petitioner that the lease was granted in favour of the petitioner in the year 1996 and after more than 28 years, a person who does not fall within a definition of "Person Aggrieved" proceedings were initiated. Aggrieved with the aforesaid order, Statutory revision under Section 210 of Land Revenue Code, 2006 being Revision No.C202512000001817 was filed by the petitioner and the aforesaid revision was rejected by the respondent No.2/Additional Commissioner (Judicial) III Bareilly Division Bareilly vide order dated 13.10.2025. The aforesaid order reads as follows:-

आज दिनांक 29.07.2025 को अनुसर निगरानी गत भूमि सार्वजनिक प्रयोजन की जलमगन भूमि है। जिसका आवंटन विधि विरुद्ध है अत निगरानी ग्राह्य किये जाने योग्य नहीं पाई गई खारिज़ की जाती है

4. It is argued by learned counsel for the petitioner that order impugned has been passed without assigning any reason.
5. Learned counsel for the respondents does not dispute the fact that the order impugned has been passed without assigning any reason.
6. Heard learned counsel for the parties and perused the record.
7. From perusal of the record, it is clear that the order dated 13.10.2025 has been passed by the respondent No.2/Additional Commissioner (Judicial) III Bareilly Division Bareilly in Revision No. C202512000001817 without assigning any reason.
7. The Supreme Court in the case of ***Central Board of Trustees v. M/s Indore Composite Pvt. Ltd. decided in C.A. No.7240/2018*** has held as under:

"14. Indeed, in the absence of any application of judicial mind to the factual and legal controversy involved in the appeal and without there being any discussion, appreciation, reasoning and categorical findings on the issues and why the findings impugned in the writ petition deserve to be upheld or reversed, while dealing with the arguments of the parties in the light of legal principles applicable to the case, it is difficult for this Court to sustain such order of the Division Bench. The only expression used by the Division Bench in disposing of the writ petition is "on due consideration". It is not clear to us as to what was that due consideration which persuaded the Division Bench to dispose of the writ petition because we find that in the earlier paras only facts are set out.

15. Time and again, this Court has emphasized on the Courts the need to pass reasoned order in every case which must contain the narration of the bare facts of the case of the parties to the lis, the issues arising in the case, the submissions urged by the parties, the legal principles applicable to the issues involved and the reasons in support of the findings on all the issues arising in the case and urged by the learned counsel for the parties in support of its conclusion. It is really unfortunate

that the Division Bench failed to keep in mind these principles while disposing of the writ petition. Such order, in our view, has undoubtedly caused prejudice to the parties because it deprived them to know the reasons as to why one party has won and other has lost. We can never countenance the manner in which such order was passed by the High Court which has compelled us to remand the matter to the High Court for deciding the writ petition afresh on merits."

8. The Supreme Court in the case of ***Brijmani Devi v. Pappu Kumar***, **reported in (2022) 4 SCC 497** has held as under :-

"32. On the aspect of the duty to accord reasons for a decision arrived at by a court, or for that matter, even a quasi-judicial authority, it would be useful to refer to a judgment of this Court in Kranti Associates (P) Ltd. v. Masood Ahmed Khan [Kranti Associates (P) Ltd. v. Masood Ahmed Khan, (2010) 9 SCC 496 (2010) 3 SCC (Civ) 852], wherein after referring to a number of judgments this Court summarised at para 47 the law on the point. The relevant principles for the purpose of this case are extracted as under:

32.1. 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.

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

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

32.4. 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.

32.5. *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 lifeblood of judicial decision-making justifying the principle that reason is the soul of justice.*

32.6. *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.*

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

32.8. *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.*

32.9. *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.*

32.10. *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 Harvard Law Review 731-37])*

32.11. *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".*

9. In this view of the matter, the Court is of the opinion that since the

order dated 13.10.2025 passed by the respondent No.2/Additional Commissioner (Judicial) III Bareilly Division Bareilly in Revision No. C202512000001817 has been passed without assigning any reason, the same is liable to be set aside and is hereby set aside. The respondent No.2 is directed to pass fresh order within a period of four months from the date of production of certified copy of this order.

10. With the aforesaid observations the writ petition is allowed.

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(Prakash Padia,J.)

February 6, 2026

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