



2026:AHC:11369

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 44703 of 2025

Smt Heeraju Raja And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Hinchh Lal Pandey
Counsel for Respondent(s)	:	C.S.C., Deepak Gaur

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The proceedings under Section 176 of U.P. Z.A. & L.R. Act, 1950 was initiated by the respondent No.4/Smt Ratan Kunwar against the petitioners by filing Case No.296/2014-15 (Computerized Case No.T20150637022805 (Smt. Ratan Kunwar Vs. Rajendra Kumar & others). In the aforesaid proceedings, order was passed in favour of the respondent No.4 by the respondent No.3/Sub Divisional Magistrate, Moth Jhansi on 30.08.2016. Aggrieved with the aforesaid order, the petitioners filed revision No.01009/2018 (Computerized Case No.C201806000001009) (Smt. Heeraju Vs. Smt. Ratan Kunwar) under Section 210 of UP. Land Revenue Code, 2006 before the respondent No.2/Additional Commissioner (Administration) Jhansi Division Jhansi which was rejected by him vide order dated 18.11.2025 on the ground that in case, since the order dated 30.08.2016 was passed in an ex-parte manner, the petitioner has a remedy to file restoration/recall application before the respondent No.3. Aggrieved with the aforesaid order, the petitioner has preferred the present petition.

2. Heard learned counsel for the petitioners, learned Standing Counsel for respondent Nos.1 to 3 and Sri Deepak Gaur, learned counsel for respondent No.7 and perused the record.

3. From perusal of the record, it is clear that in the proceeding initiated by the respondent No.4 under Section 176 of U.P. Z.A. & L.R. Act, 1950 being Case No.296/2014-15, an ex-parte order has been passed by the respondent No.3 on 30.08.2016. Aggrieved with the aforesaid

order, revision has been filed by the petitioner before the respondent No.2 and the same was also dismissed on the ground that since the order dated 30.08.2016 was passed in an ex-parte manner, the petitioner has a remedy to move restoration/recall application before the respondent No.3.

4. After going through the record and after hearing counsel for the parties, the Court is of the prima facie opinion that order passed by the respondent No.2/Additional Commissioner (Administration) Jhansi Division Jhansi is absolutely perfect and valid order and does not call for any interference by this Court specially under Article 226 of the Constitution of India.

5. At this stage, a prayer has been made by learned counsel for the petitioners to permit the petitioners to file recall application before the respondent No.3/Sub Divisional Magistrate, Moth Jhansi.

6. In the interest of justice and without interfering with the order dated 18.11.2025 passed by respondent No.2/Additional Commissioner (Administration) Jhansi Division Jhansi, the present petition is disposed of permitting the petitioner to file recall application along with delay condonation application before the respondent No.3/Sub Divisional Magistrate, Moth Jhansi within three weeks from today. In case, the petitioners do so, the respondent No.3 will pass the orders in the matter strictly in accordance with law expeditiously.

(Prakash Padia,J.)

January 16, 2026

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