



2026:AHC:29159

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 1079 of 2026

Smt Manju

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Jitendra Yadav, Sanjay Kumar Yadav
Counsel for Respondent(s)	:	C.S.C., Sunil Kumar Singh

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Proceedings under Section 67 of the U.P. Revenue Code, 2006 was initiated against the petitioner on the report submitted by the Lekhpal dated 20.08.2020 which was registered as Case No.01709 of 2020, Computerized Case No.T202011080401709. The same was allowed by the Respondent No.3 vide order dated 29.04.2025. By the aforesaid order the petitioner was evicted.

2. Aggrieved against the aforesaid, statutory appeal under Section 67(5) was filed which was registered as Case No.516 of 2025, Computerized Case No.D202511080000516 (Smt. Manu vs. Gaon Sabha). The said appeal was dismissed by the District Magistrate, Tehsil-Khaga, District Baghpat on 13.10.2025.

3. It is argued that order passed by the Respondent No.3 against the petitioner has been passed without assigning any reasons.

4. Apart from various other arguments, one of the arguments has been raised by counsel for the petitioner that aforesaid orders were passed in complete violation of the procedure prescribed in para-74 passed in the case of **Rishipal Singh and others Vs. State of U.P. and others reported in 2023 (1) ADJ 154** hence the same are liable to be set aside.

5. This fact is also admitted by counsel for the respondents.

6. In view of the same, since the order dated 29.04.2025 passed by the Respondent No. 3- Assistant Collector/ Tehsildar, Tehsil-Baraut, District Baghpat in Case No.01709 of 2020, Computerized Case No.T202011080401709 under Section 67 of Uttar Pradesh Revenue Code, 2006 as well as order dated 13.10.2025 passed by the District Magistrate,

Tehsil-Khaga, District Baghpat in Case No.516 of 2025, Computerized Case No.D202511080000516 (Smt. Manu vs. Gaon Sabha) under Section 67(5) of Uttar Pradesh Revenue Code, 2006 were passed in complete violation of procedure prescribed in the case of **Rishipal Singh (supra)**, the same are liable to be set aside and hereby quashed.

7. The writ petition is **allowed**. No order as to costs.

8. The respondent No.3/Assistant Collector/ Tehsildar, Tehsil-Baraut, District Baghpat is directed to pass a fresh order in view of observations made by this Court in paragraph-74 of the judgment and order dated 02.12.2022 in the case of **Rishipal Singh (Supra)**, expeditiously and preferably within a period of **four months** from the date of presentation of of certified copy of this order.

(Prakash Padia,J.)

February 10, 2026
Swati