



2026:AHC:28864

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 2352 of 2026

Basudev

.....Petitioner(s)

Versus

Additional Commissioner (Judicial 1st), Prayagraj
Division And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Aprajit Yadav, Shyam Lal Yadav
Counsel for Respondent(s)	: Azad Rai, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The proceedings under Section 33/39 of the U.P. Land Revenue Act, 1901 was initiated against the petitioner, which was registered as Case No.15. In the said proceedings an order dated 21.11.2001 was passed by the Tehsildar, Kunda, District Prayagraj. On the basis of aforesaid proceedings an order was passed against the petitioner on 02.04.2002. Aggrieved against the aforesaid revision as provided under Section 219 of the U.P. Land Revenue Act, 1901 was preferred by the petitioner before the Commissioner, Allahabad Division, Allahabad being Revision No.93/388/466/280 of 2002-03-04. The said revision was dismissed vide order dated 19.07.2006 by the respondent no.1-Additional Commissioner (Judicial, Ist) Prayagraj Division, Prayagraj. Aggrieved against the aforesaid an application dated 20.09.2006 was filed by the petitioner before the respondent no.1 under the heading reads as follows :-

"प्रार्थना पत्र वास्ते प्रयुक्त किए जाने अन्तर्निहित क्षेत्राधिकार बाबत निरस्त करने आदेश दिनांक-19.07.2006"

2. It is argued by counsel for the petitioner that aforesaid application filed under Section 151 CPC was rejected by the respondent no.1 vide order dated 24.09.2025 on the ground that respondent no.1 has no power or jurisdiction to review any order passed under Section 219 of the Act, 1901 and for review of any order passed under the Act, 1901 the petitioner should file a review application as provided under Section 220 of the Act, 1901. The order passed by the respondent no.1 dated

24.09.2025 reads as follows :-

"पत्रावली के अवलोकन से ज्ञात हुआ कि प्रश्नगत निगरानी भू-राजस्व अधिनियम की धारा-219 के अन्तर्गत योजित की गयी थी। अतः उ०प्र० भू-राजस्व अधिनियम, 1901 के उपबन्धों के अन्तर्गत पारित आदेश का पुनर्विलोकन करने की शक्ति मा० आयुक्त के पास नहीं है बल्कि पुनर्विलोकन की शक्ति उ०प्र० भू-राजस्व अधिनियम की धारा-220 के अन्तर्गत मा० राजस्व परिषद को है। आक्षेपित आदेश मा० आयुक्त द्वारा पुनर्विलोकन प्रार्थना पत्र पर पारित किया गया था जो अधिकारिता रहित है। इस प्रकार निगरानकर्ता द्वारा प्रस्तुत पुनर्विलोकन प्रार्थना पत्र दिनांक 30.09.2006 निरस्त किये जाने योग्य है।

उपरोक्त विवेचना के आधार पर प्रस्तुत पुनर्विलोकन प्रार्थना पत्र निरस्त किया जाता है। आवश्यक कार्यवाही के उपरान्त इस न्यायालय की पत्रावली अभिलेखागार में संचित की जाय।।"

3. Heard learned counsel for the parties and perused the records.

4. From perusal of the record it is clear that against the order dated 19.07.2006, an application for review has been filed by the petitioner under Section 151 CPC. The said application was rejected by the respondent no.1 on the ground that he has no power of review and in case petitioner wants to review any order only remedy lies to file a review application as provided under Section 220 of the CPC.

5. In this view of the matter, the Court is of the opinion that the order passed by the respondent no.1 rejecting the application for review dated 24.09.2025 is absolutely perfect and valid order and does not call for any interference. Apart from the same, nothing has been stated in the entire writ petition nor any argument has been raised that under which provisions of law the application for review filed by the petitioner under Section 151 CPC is maintainable before the respondent no.1.

6. In view of the same, present writ petition is dismissed.

(Prakash Padia,J.)

February 10, 2026

Pramod Tripathi