



2026:AHC:34981

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 2486 of 2026

Sarwjeet Kumar

.....Petitioner(s)

Versus

State Of U.P. And 18 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anand Kumar Singh, Aryan Singh
Counsel for Respondent(s)	:	Bhupendra Kumar Tripathi, C.S.C., Firoz Ahmad, Mohd Gulam Husain, Qaisar Kamal Ansari

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1.The order dated 18.12.2025 passed by the respondent No.3/Sub Divisional Magistrate, Sadar Ghazipur in the proceedings initiated under Section 38(1) of the U.P. Revenue Code, 2006 being Case No.7653 of 2024 (T202414291007653) is under challenge.

2. Today when the matter is taken up, a preliminary objection has been raised by learned counsel for the respondents that against the aforesaid order, statutory alternative remedy is available to the petitioner to file appeal as provided under Sub Section 4 of Section 38 of U.P. Revenue Code, 2006.

3. This fact is also very clearly admitted by learned counsel for the petitioner and argued that time limit for filing appeal is within 30 days, hence a prayer has been made to permit the petitioner to file appeal within three weeks from today and the appellate authority be directed to condone the delay.

4. This prayer has not been opposed by learned counsel for the respondents.

5. Heard learned counsel for the parties and perused the record.

6. In the facts and circumstances of the case and without interfering with the order dated 18.12.2025 passed by the respondent No.3/Sub Divisional Magistrate, Sadar Ghazipur, the present petition is disposed of permitting

the petitioner to file appeal along with delay condonation application within three weeks from today along with certified copy of this order. In case, the petitioner does so, the Appellate Authority is directed to condone the delay and decide the appeal on merits expeditiously and strictly in accordance with law but after providing opportunity of hearing to the petitioner unless there is no legal impediment.

(Prakash Padia,J.)

February 17, 2026

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