



2026:AHC:25001

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 2681 of 2026

Shakeel

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rakesh Kumar Mishra
Counsel for Respondent(s)	:	Arun Kumar Pandey, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The proceedings under Section 67 of the U.P. Revenue Code, 2006 was initiated against the petitioner on the report submitted by the Regional Lekhpal/Revenue Inspector dated 08.02.2021, which was registered as Case No.00963/21, (Gram Sabha Vs. Shakeel). In the said proceedings an order dated 20.10.2022 was passed against the petitioner by the respondent No.4/Tehsildar, Tehsil Shahabad District Rampur by which the order of eviction has been passed against the petitioner. Aggrieved against the aforesaid, statutory appeal under Section 67 (5) of the U.P. Revenue Code, 2006 was filed before the appellate authority being Case No.1226 of 2025, Computerized Case No.D202513590001226, which was dismissed by the respondent no.3-Additional District Magistrate, (Finance & Revenue) Rampur on 20.11.2025.

2. Apart from various other arguments it is argued by counsel for the petitioner that both the orders are absolutely non speaking order and the same has been passed in complete violation of natural justice. He placed reliance upon para-74 passed in the case of Rishipal Singh and others Vs. State of U.P. and others reported in 2023 (1) ADJ 154.

3. This fact has not been denied by the learned Standing Counsel.

4. In this view of the matter, the Court is of the opinion that the order passed by the authorities are per-se illegal and in violation of law laid down by this Court in the case of Rishipal Singh (supra) hence order dated 20.11.2025 passed by the respondent no.3-Additional District

Magistrate, (Finance & Revenue) Rampur and order dated 20.10.2022 passed by the respondent No.4/Tehsildar, Tehsil Shahabad District Rampur are liable to be set aside and are hereby set aside and writ petition is allowed.

5. The respondent no.4 is directed to pass fresh order in accordance with law expeditiously. It is made clear that petitioner will not take any unnecessary adjournment.

6. The writ petition is allowed. No order as to costs.

(Prakash Padia,J.)

February 4, 2026

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