



2026:AHC:34804

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 3854 of 2026

Kalyan Swaroop (Died On 02.10.2024) And 4
Others

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Hans Pratap Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The proceeding initiated under Section 34 of U.P. Revenue Code, 2006 was initiated by the respondent No.5/Abhilesha against Kailash Rani which was numbered as Case No.937 of 2017 (Computer Case No.T201707324102937) (Smt. Abhilesha Vs. Smt. Kailash Rani). In the said case, following order was passed by the respondent No.4/Tehsildar, Tehsil Rath District Hamirpur on 05.09.2022:-

पत्रावली पेश। उभय पक्ष हाजिर। शेष सुनवाई प्रार्थना पत्र पूरी हुई। दोनो पक्ष द्वारा बहस/साक्ष्य प्रस्तुत करें। पत्रावली दिनांक 23.09.22 को पेश हो।

2. Aggrieved with the said order, Appeal as provided under Section 35(2) of U.P. Revenue Code, 2006 was filed by the petitioner before the respondent No.3 which was rejected on 14.06.2023. Aggrieved with the aforesaid order, Revision No. under Section 210 of the U.P. Revenue Code, 2006 was preferred which was rejected by the respondent No.2 vide order dated 05.01.2026. Aggrieved with the aforesaid orders, the petitioners have preferred the present petition.

3. From perusal of the record, it transpires that only for purpose of lingering the proceedings of the Case No.937 of 2017 filed by the respondent No.5 under Section 34 of U.P. Revenue Code, 2006, the petitioners had filed the appeal and revision which had already dismissed and the petitioner has now filed the present petition which is misuse of process of law and process of Court.

4. In this view of the matter, the Court is of the opinion that the present petition is liable to be dismissed with exemplary costs.

5. At this stage, a prayer has been made by learned counsel for the petitioner to dismiss the present petition as not pressed.

6. Accordingly, the present petition is dismissed as not pressed.

7. However the respondent No.4/Tehsildar, Tehsil Rath District Hamirpur is directed to decide the Case No.937 of 2017 (Computer Case No.T201707324102937) (Smt. Abhilesha Vs. Smt. Kailash Rani) expeditiously and preferably within period of two months from today.

8. Registrar (Compliance) is directed to communicate a copy of this order to respondent No.4/Tehsildar, Tehsil Rath District Hamirpur through Commissioner Chitrakoot Mandaldham Banda within a week.

(Prakash Padia,J.)

February 17, 2026

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