



2026:AHC:42272

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 4414 of 2026

Ram Bahor

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Bhola Nath Yadav, Kamal Singh, Prabal Pratap
Counsel for Respondent(s)	: Azad Rai, C.S.C.

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 which was registered as Case No.6969 of 2023, Computerized Case No.T202302030706969. The same was allowed by the Respondent No.3/ Assistant Collector/ Tehsildar, Bara, District Prayagraj vide order dated 28.10.2025 by which the order of eviction and damages has been passed.

2. Aggrieved against the aforesaid, statutory appeal under Section 67(5) of the U.P. Revenue Code, 2006 was filed which was registered as Case No.2417 of 2025, Computerized Case No.D202502030002417. The said appeal was dismissed by the Respondent No.2/ Additional District Magistrate (Administration), Prayagraj vide order dated 30.12.2025.

3. 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.

4. This fact has not been disputed by counsel for the respondents.

5. In view of the same, since the order dated 28.10.2025 passed by the Respondent No.3/ Assistant Collector/ Tehsildar, Bara, District Prayagraj in Case No.6969 of 2023, Computerized Case

No.T202302030706969 under Section 67 of Uttar Pradesh Revenue Code, 2006 as well as order dated 30.12.2025 passed by the Respondent No.2/ Additional District Magistrate (Administration), Prayagraj in Case No.2417 of 2025, Computerized Case No.D202502030002417 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.

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

7. The respondent No.3/Assistant Collector/ Tehsildar, Tehsil Bara, District Prayagraj 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)**, most expeditiously and positively within a period of **four months** from the date of presentation of of certified copy of this order.

8. Registrar (Compliance) is directed to communicate the copy of this order to the Respondent No.3/Assistant Collector/ Tehsildar, Tehsil Bara, District Prayagraj through District Magistrate, Prayagraj within a week.

(Prakash Padia,J.)

February 25, 2026

Swati