



2026:AHC:13225-DB

Reserved on 10.11.2025

Delivered on 20.01.2026

HIGH COURT OF JUDICATURE AT ALLAHABAD
WRIT - C No. - 37803 of 2022

Sanjay Kumar Pandey And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Santosh Kumar Srivastava
Counsel for Respondent(s)	:	C.S.C., Ravi Prakash Pandey

Court No. - 40

HON'BLE SARAL SRIVASTAVA, J.
HON'BLE SUDHANSHU CHAUHAN, J.

A.F.R.

(Per; Hon'ble Sudhanshu Chauhan, J)

1. Heard Sri Sanjay Srivastava, learned counsel for the petitioners, learned Standing Counsel for the respondent nos. 1 to 3 and Sri Ravi Prakash Pandey, learned counsel for the respondent no.4.

2. It is contended on behalf of the petitioners that the father of the petitioners, Sri Lalji was the recorded tenure-holder of certain holdings situated in Village Baraipur, Pargana Shivpur, District Varanasi. A survey of the holdings of Sri Lalji was conducted on 17.08.1977, in pursuance thereto the statement of holdings was submitted by Sri Lalji under Section 6(1) of the Urban Land (Ceiling and Regulation) Act, 1976 (hereinafter referred to as the "Act, 1976"). Subsequently, a notice dated 31.07.1980 was served upon Sri Lalji to which, he submitted a reply dated 26.08.1980. Ultimately, the Competent Authority, Urban Land Ceiling Varanasi-respondent no.3 vide order dated 10.12.1980 passed in Case No. 792/1105/80-81 (State vs. Lalji Pandey) under Section 8(4) of the Act, 1976, declared 14,483.40 square meters of the holdings of Sri Lalji as surplus. Thereafter, a notice under Section 10(5) was issued on 03.03.1987.

3. It is also contended that an intimation under Section 11(8) of the Act, 1976, along with the notice of "Sandeya Dhanrashi" determined under

Section 11(7) of the Act, 1976, was issued on 07.07.1987. It is the specific case of the petitioners that the “Sandeya Dhanrashi” was never received either by the original tenure-holder, Sri Lalji or by the petitioners. Sri Lalji had sought time to file objections to the proceedings under Section 11(8) of the Act, 1976 vide applications dated 07.07.1987 and 12.07.1987. Further, nothing much came out of proceeding so initiated under the Act, 1976.

4. It is further argued that after the demise of Sri Lalji, those holdings which had not been transferred to third parties were mutated in the names of the petitioners vide order dated 22.06.2018. The petitioners have filed the *Khatauni* for Fasli year 1425–1430 in support of their contention.

5. Under the circumstances it is stated that petitioners have filed the present writ petition being aggrieved by the order dated 20.09.2021 passed by the respondent no.3 vide Memo No. 111 dated 20.09.2021, morefully annexed as Annexure No. 1 to the writ petition, whereby in pursuance to the order passed in Case No. 792/1105/80-81 (State vs. Lalji Pandey) land measuring 14483.40 square meters has been recorded in the name of the State of U.P. after deleting the name of the original tenure-holders/petitioners.

6. The respondent nos. 1 to 3 per contra, do not dispute the factual aspects of the subject matter in controversy as far as proceeding under the Act, 1976 are concerned. However, it has been argued that all proceedings, including taking possession of the vacant land in excess of the ceiling limit, were completed prior to the commencement of the Urban Land (Ceiling and Regulation) Repeal Act, 1999 (hereinafter referred to as the “Repeal Act, 1999”). It has also been argued that respondent no. 3, vide letter dated 28.03.2000, requested Varanasi Development Authority-respondent no. 4 to carry out the demarcation and physical verification of the land declared surplus in respect of 1533 matters including the land of Sri Lalji. The respondent no.4-Authority have adopted the contention of the respondent nos. 1 to 3.

7. Hence, it is the case of the petitioners that the possession of the land in question was never taken by the respondents and that the possession has

continued to remain with the original tenure-holder/petitioners or their transferees till date. The petitioners, in support of their case, have filed the *Khasras* along with the writ petition. On the other hand, it is the case of the respondents that the entire proceedings under the Act, 1976, including taking possession of the surplus land, were completed prior to the coming into force of the Repeal Act, 1999. In this backdrop, it is necessary to consider the pleadings raised by the respective parties.

8. The petitioners, in Paragraphs 20–21 of the writ petition, have stated as under:-

“20. That it is pertinent to mention that the possession has never being taken from the original tenure holder or from the legal heirs /petitioners herein. The name of the tenure holder continued in the revenue records throughout and thereafter the name of the legal heirs of the original tenure holder Lalji Pandey was recorded in the Revenue records which continued up the impugned order dated 20.09.2021. The name of the State Government /Urban Land Ceiling was never recorded in the Revenue Records. In support thereof, the copies of the Khasra for the years 1426 pertaining to plots in question, is collectively being enclosed herewith and marked as Annexure No. 10 to this writ petition.

21. That in order to prove the continuous possession of the original tenure holder/petitioners/ purchasers over the land in question, the petitioner brings on records the Khasra for the fasli year 1383, 1384, 1410, 1418. A copy of the Khasra for the fasli years 1383, 1384, 1410, 1418 are collectively being enclosed herewith and marked as Annexure No. 11 to this writ petition.”

9. In response thereto, respondent nos. 1 to 3, in Paragraph No. 25 of their counter affidavit, have stated as under:—

“25. That the contents of paragraph No. 19, 20, 21 & 22 of the writ petition are not admitted for the reasons given in the preceding paragraphs.”

10. Besides the contents of paragraph no.12 and paragraph no.19 of the counter affidavit of the respondents nos. 1 to 3 are also relevant in this regard and the same reads as under:-

“12. That it is relevant to mention here that all the proceedings were completed before the commencements of the Urban Land (Ceiling and Regulation) Repeal Act, 1999 by the State and also regarding the physical verification and demarcation by the Varanasi Development Authority, Varanasi, a letter No. 6948 was sent to VDA on 28.03.2000 alongwith other lands classified under similar category. Copy of the letter dated 28.03.2000 is being filed herewith and marked as ANNEXURE-CA-7 to this affidavit.

19. That the contents of paragraph No. 9 of the writ petition are not admitted as stated hence denied. In reply thereto it is submitted that no information has

been given by any of the petitioners regarding death of his father and the notice under Section 10(5) of the Act regarding possession was issued on 03.03.1987 and the possession was taken over the declared excess land.”

Thus, the respondent nos. 1 to 3 even otherwise fail to provide the date of possession of the land in question and the manner the same was taken. The alleged date on which, the possession of the land in question was transferred to Varanasi Development Authority is also not mentioned in the counter-affidavit.

11. Likewise, respondent no. 4—Authority, in Paragraph No. 17 of its counter affidavit, has stated as under:—

“17. That the contents of Paragraph Nos. 20 to 23 of the writ petition are not admitted in the manner as stated hence, denied and in reply thereto, it is being submitted that the lands comprising total area 14483.40 Sq. Meter, which is subject matter of the present writ petition, had already been declared as surplus land under the provisions of the Act, 1976 and thereafter, the aforesaid land is duly recorded in the name of State Government in the Revenue Record and the same is in possession of the answering authority.”

12. Further the petitioners in paragraph no. 26 of the writ petition have stated as under :-

“26. That after the death of Original Tenure Holder Lal Ji the revenue entry were rectified and from khatauni fasali year 1425-1430 it is evident that vide order dated 22.06.2018, the names of the petitioners has been entered as legal heirs/waris of the original tenure holder Lalji son of Late Kedar on the land Aarazi nos. 71, 70, 296/2, 299, 336/2, 238/2, 54/2, 246/2. A copy of the relevant khatoni fasli year 1425-1430 mentioning the mutation order dated 22.06.2018 is being enclosed here with and marked as Annexure No. 13 to this writ petition”

13. In response thereto the respondent nos. 1 to 3 in paragraph no. 27 of their counter affidavit have stated as under :-

“27. That the contents of paragraph No. 24,25,26 & 27 of the writ petition are not admitted for the reasons given in the preceding paragraphs. However, it is further submitted that no information regarding death of original tenure holder Lalji father of the petitioners has been given to the office of the competent authority, as such the name of the petitioner original tenure holder remain unchanged but name of any of the petitioner was never entered in revenue record.”

14. Likewise, the respondent no.4 in paragraph no.19 of his counter affidavit has stated as under :-

“19. That the contents of Paragraph Nos. 25, 26 & 27 of the writ petition are not admitted in the manner as stated hence, denied and in reply thereto, it is being submitted that after completion of the proceeding provided under the Act, 1976, the land in question had been transferred to the V.D.A., Varanasi by the Competent Authority, Urban Land Ceiling, Varanasi.”

Hence, the pleadings of the respondents are not in consonance with the evidence on record as the land in question was not recorded in the name of the State or the Varanasi Development Authority prior to passing of the impugned order dated 20.09.2021 but was in the name of petitioners/their transferees.

15. Further, the petitioners have produced the revenue records, including *Khasras* and *Khataunis* of the land in question, prepared much after the coming into force of the Repeal Act, 1999, to demonstrate that the petitioners and their predecessors/transferees continued to remain in possession of the land in question. At the same time, upon perusal of the counter affidavits filed by the respondents, it is evident that only vague assertions have been made regarding the alleged taking of possession by the respondents. No details regarding the manner in which, the possession was taken and the date of possession have been spelt out in their respective replies. Moreover, no serious dispute has been raised regarding the revenue entries continuing in the name of the original tenure holder/petitioners and their transferees.

16. The respondents have also utterly failed to furnish any plausible explanation as to why the land in question was recorded in the name of the State Government only vide order dated 20.09.2021 after a lapse of more than 22 years from the enforcement of the Repeal Act, 1999 and not prior thereto. Further, the respondents have relied upon the letter dated 28.03.2000 issued by respondent no. 3, which merely speaks about physical verification and demarcation of the land in question. The said letter by no stretch of imagination can be construed as evidence of the State having taken de-facto possession of the land nor does it reflect transfer of possession of the land in favour of respondent no. 4-Authority.

17. Thus, from the perusal of the revenue records filed by the petitioners in support of their case and in light of the stand taken by the respondents

in their respective counter affidavits, it is difficult to arrive at a conclusion that the physical possession of the land in question had ever been taken by the respondents.

18. Another aspect of the matter concerns the payment of *Sandeya Dhanrashi* (compensation) to the predecessor of the petitioners, Sri Lalji. The petitioners have taken a specific stand in the writ petition that the *Sandeya Dhanrashi* was never received either by the original tenure-holder or by the petitioners. In Paragraph No. 17 of the writ petition, the petitioners have specifically stated as under:—

“17. That an intimation under Section 11(8) of the Urban Land Ceiling Act was issued on 07.07.1987 alongwith the notice of Sandeya Dhanrashi determined under Section 11(7) of the Urban Land Ceiling Act, 1976. However, the Sandeya Dhanrashi was never received by the original tenure holder / petitioners. Copy of the notice under Section 11(8) and 11(7) of the Urban Land Ceiling Act, 1976 dated 07.07.1987 is being enclosed here with and marked as Annexure No. 7 to this writ petition.”

19. The respondent nos. 1 to 3, in response thereto, have stated in Paragraph No. 24 of their counter affidavit that the proceedings under Sections 11(7) and 11(8) of the Act had taken place. These facts have also not been disputed by the petitioners. However, respondent nos. 1 to 3 have made no averments whatsoever regarding the payment of *Sandeya Dhanrashi*. Paragraph No. 24 of the counter affidavit filed by respondent nos. 1 to 3 reads as under:-

“24. That in reply to the contents of paragraph no. 15, 16, 17 & 18 of the writ petition it is stated that all the proceedings under relevant Act made by competent authority were completed and accepted by the original tenure holder and the determination of amount under Section 11(7) & 11(8) of the Act was done and no any question was raised by the original tenure holder. It is further stated that a time extension application dated 07.07.1987 was filed by Sri Lalji before competent authority but after passing a long time no objection or clarification was filed by the father of the petitioners', who was original tenure holder.”

20. The respondent no.4 in response to Paragraph no. 17 of the writ petition have not submitted any reply thereto in their counter affidavit stating that the matter relates to the Competent Authority, Urban Land Ceiling. The contents of the Paragraph No.15 of the counter affidavit filed by respondent no.4 reads as follows:-

“15. That the contents of Paragraph Nos. 15, 16, 17 & 18 of the writ petition need no comments by the answering authority as these paragraphs are related to the Competent Authority, Urban Land Ceiling, Varanasi.”

21. Under these circumstances, it is difficult to presume that the *Sandeya Dhanrashi* had ever been paid to the father of the petitioners, Sri Lalji or to the petitioners at any point of time.

22. It is relevant to observe here that the order impugned in the present writ petition has been passed by the Competent Authority, Urban Land Ceiling, Varanasi, on 20.09.2021. The fact that the impugned order has been passed on 20.09.2021, it would be obvious to presume that the records pertaining to the proceedings under the Act, 1976 were very much available with the respondents on the basis of which the impugned order has been passed and as such nothing prevented to respondents from placing the correct and complete facts of the case before this Court.

23. As far as the order dated 20.09.2021, impugned in the present writ petition, is concerned, although it refers to Ceiling Case No. 792/1105/80-81, it fails to disclose the date of the order allegedly passed in the said case by the Competent Authority-respondent no.3 to record the land in question in the name of the State in the revenue entries. It merely contains a vague assertion that the mutation has been carried out on the basis of some mutation order passed in the past specifically referred to as “Purva Preshit Namantaran Aadesh”.

24. In this regard the petitioners in Paragraph No. 8 of the writ petition have categorically asserted that no such mutation order is in existence. Paragraph No. 8 of the writ petition reads as under:-

“8. That the Competent Authority, Urban Land Ceiling, Varanasi in its order/memo No. 111 dated 20.09.2021 has repeatedly/deliberately mentions in all khatauni, the word 'Purva Preshit Namantaran Aadesh' but failed to give any date /memo of the Namantaran (Mutation) order. Thus it is evident that the present direction vide memo No. 111 dated 20.09.2021 is based upon a nonexistent mutation order. However the Respondents ought to give details of the alleged mutation order and also bring on records the copy of the same so that the illegality committed by the respondent in passing the order dated 20.09.2021 after assumingly more than 40 years, of the alleged nonexistent 'Purva Preshit Namantaran Aadesh' could be revealed before this Hon'ble Court.”

25. The respondent nos. 1 to 3 in response thereto in Paragraph No. 18 of their counter affidavit have stated that all the proceedings in accordance

with Act were completed and the mutation of order was issued by the office of competent authority but it could not be complied with.

26. The averments made in Paragraph No.18 of the counter affidavit reads as under:-

“18. That the contents of paragraph No. 7 & 8 of the writ petition are not admitted as stated hence denied. In reply thereto it is submitted that for the entering of the name of state after completing all the proceedings in accordance with Act "Parwana Amaldaramad" was issued by the office of the competent authority but it could not be complied with in time and by the letter 111 dated 20.09.2021 addressed to Tehsildar, Sadar, Varanasi the name of the state was entered in revenue record in place of name of original tenure holder Lalji not in place of name of the petitioners, because the land in question after publication in the State Gazette dated 31.12.1985, the entire land was vested absolutely in the State Government free from all encumbrances w.e.f date of the publication under Section 10(3) of the Act, which is legal just and proper.”

27. The respondent no.4-authority has failed to give any reply on merits of assertions made in paragraph 8 of the writ petition and in paragraph no. 10 of their counter affidavit it has simply been stated as follows:-

“10. That in reply to contents Paragraph No. 8 of the writ petition, it is respectfully submitted that the land in question is recorded in the name of State Government in the Revenue Record.”

28. Thus, The respondents have also failed to provide any plausible explanation as to why it took more than 22 years to correct the entries in the revenue records after the coming into force of the Repeal Act, 1999. Further there is no dispute regarding the fact that in meanwhile the land in question continued to be recorded in the name of original tenure-holder/ petitioners/transferees in the revenue records, both in the Khasras and Khataunis.

29. Under these circumstances, the respondents have failed to justify the order dated 22.09.2021, which is impugned in the present writ petition, after a lapse of such a long duration. The respondents have also failed to demonstrate that the State had taken de-facto possession of the land in question and that the Sandeya Dhanrashi/compensation was paid to the recorded tenure holders.

30. Before advertng to the law in respect of the subject matter in

controversy it is important to consider the relevant provisions, namely Sections 3 and 4 of the Repeal Act, 1999 and the same read as under:-

“3. Savings –(1) the repeal of the principal Act shall not affect-

(a) the vesting of any vacant land under sub-section (3) of section 10, possession of which has been taken over by the State Government or any person duly authorised by the State Government in this behalf or by the competent authority;

(b) the validity of any order granting exemption under sub-section (1) of section 20 or any action taken thereunder, notwithstanding any judgment of any Court to the contrary;

(c) any payment made to the State Government as a condition for granting exemption under sub-section (1) of section 20.

(2) Where-

(a) any land is deemed to have vested in the State Government under sub-section (3) of section 10 of the principal Act but possession of which has not been taken over by the State Government or any person duly authorised by the State Government in this behalf or by the competent authority; and (b) any amount has been paid by the State Government with respect to such land, then, such land shall not be restored unless the amount paid, if any, has been refunded to the State Government.

4. Abatement of legal proceedings- *All proceedings relating to any order made or purported to be made under the principal Act pending immediately before the commencement of this Act, before any Court, Tribunal or any authority shall abate; Provided that this section shall not apply to the proceedings relating to Sections 11, 12, 13 and 14 of the principal Act insofar as such proceedings are relatable to the land, possession of which has been taken over by the State Government or any person duly authorised by the State Government in this behalf or by the competent authority”*

31. A perusal of Section 3 of the Repeal Act, 1999 makes it evident that if possession of vacant land had been taken over on behalf of the State Government before the coming into force of the Repeal Act, 1999, the repeal of the Act, 1976 would not affect the vesting of such land under Section 10(3) of the Act, 1976. Consequently, the issue of whether actual possession of the land declared as excess under the Act, 1976 was taken over or not, assumes great significance after the commencement of the Repeal Act, 1999. This is because, if possession had not been taken over, the proceedings would abate under Section 4 of the Repeal Act, 1999, and the ownership of the land, though earlier vested in the State Government under Section 10(3) of the Act, 1976, would be required to be restored to

the original landholder, subject to repayment of any amount that may have been paid by the State Government in respect of such land.

32. The petitioners in support of their case have relied upon the law laid down by this Court in Writ-C No. 14094 of 2016 (Ramji & Ors. Vs. State of U.P. & Ors.) decided on 02.04.2025, Writ-C No. 4874 of 2023 (Atma Prasad Shukla Vs. State of U.P. & Anr.) decided on 02.05.2023 and Writ-C No.4689 of 2023 (Ram Prasidh Tiwari & Ors. Vs. State of U.P. & Ors.) decided on 09.05.2023. The facts of the present case are quite similar to that of Writ-C No. 4874 of 2023 and Writ-C No. 4689 of 2023, detailed above.

33. In this regard, the Hon'ble Supreme Court in the Case of **State of U.P. vs. Hari Ram 2013 (4) SCC 280** while considering the effect of Repeal Act, 1999 had held as under :-

“41. Let us now examine the effect of Section 3 of Repeal Act 15 of 1999 on sub-section (3) of Section 10 of the Act. The Repeal Act, 1999 has expressly repealed Act 33 of 1976. The objects and reasons of the Repeal Act have already been referred to in the earlier part of this judgment. The Repeal Act has, however, retained a saving clause. The question whether a right has been acquired or liability incurred under a statute before it is repealed will in each case depend on the construction of the statute and the facts of the particular case.

42. The mere vesting of the land under sub-section (3) of Section 10 would not confer any right on the State Government to have de facto possession of the vacant land unless there has been a voluntary surrender of vacant land before 18-3-1999. The State has to establish that there has been a voluntary surrender of vacant land or surrender and delivery of peaceful possession under sub-section (5) of Section 10 or forceful dispossession under sub-section (6) of Section 10. On failure to establish any of those situations, the landowner or holder can claim the benefit of Section 4 of the Repeal Act. The State Government in this appeal could not establish any of those situations and hence the High Court is right in holding that the respondent is entitled to get the benefit of Section 4 of the Repeal Act”

34. Hence, in view of the above, it is clear that where the possession of the land in question has not been taken over by the State Government or by any person duly authorized by the State Government in this behalf or by the competent authority, the proceedings under the Act would not survive and mere vesting of the vacant land in the State Government by operation of law, without actual possession is not sufficient. Further the onus is on the State to establish that actual physical possession of the excess vacant land was taken before the Repeal Act, 1999.

35. The Hon'ble Supreme Court in the recent judgment in the case of **A.P. Eletricial Equipment Corporation Vs. Tahsildar & Ors. 2025 SCC OnLine SC 447** had laid down certain propositions of law governing the issue of possession in context with Section 10(5) and Section 10(6) respectively of the Act, 1976 read with Section 3 of the Repeal Act, 1999 and the same reads as under :-

“41. The propositions of law governing the issue of possession in context with Sections 10(5) and 10(6) respectively of the Act, 1976 read with Section 3 of the Repeal Act, 1999 may be summed up thus:

[1] The Repeal Act, 1999 clearly talks about the possession being taken under Section 10(5) or Section 10(6) of the Act, 1976, as the case may be.

[2] It is a statutory obligation on the part of the competent authority or the State to take possession strictly as permitted in law.

[3] In case the possession is purported to have been taken under Section 10(6) of the Act, 1976 the Court is still obliged to look into whether "taking of such possession" is valid or invalidated on any of the considerations in law.

[4] The possession envisaged under Section 3 of the Repeal Act, 1999 is de facto and not de jure only.

[5] The mere vesting of "land declared surplus" under the Act without resuming "de facto possession" is of no consequence and the land holder is entitled to the benefit of the Repeal Act, 1999.

[6] The requirement of giving notice under sub-sections (5) and (6) of Section 10 respectively is mandatory. Although the word "may" has been used therein, yet the word "may" in both the sub-sections should be understood as "shall" because a Court is obliged to decide the consequences that the legislature intended to follow from the failure to implement the requirement.

[7] The mere vesting of the land under sub-section (3) of Section 10 would not confer any right on the State Government to have de facto possession of the vacant land unless there has been a voluntary surrender of vacant land before 18th March 1999.

[8] The State has to establish by cogent evidence on record that there has been a voluntary surrender of vacant land or surrender and delivery of peaceful possession under sub-section (6) of Section 10 or forceful dispossession under sub-section (6) of Section 10.”

36. The aforesaid proposition of law amongst others clearly states that mere vesting of the land declared surplus under the Act, 1976 without resuming de-facto possession is of no consequence and requirement of giving notice under Sections 10(5) and 10(6) is mandatory. It is for the State to establish by cogent evidence on record that there has been a

voluntary surrender of vacant land or surrender and delivering of peaceful possession under sub section (6) of Section 10 or forceful dispossession under sub section (6) of Section 10.

37. As far as the present controversy is concerned the respondents have utterly failed to demonstrate as to how and when the possession of the land in question was taken by the respondents from the predecessors of the petitioners, Sri Lalji. The respondents have even failed to spell out the date of such possession in their respective counter affidavits. Further there is no whisper of any notice under Section 10(6) of the Act, 1976 in the pleadings of either of the parties.

38. At the same time the entries in the revenue records both in the Khataunies and the Khasras in the name of the original tenure holder/petitioners/transferees even much after coming into force of the Repeal Act, 1999 clearly indicate that the petitioners, their predecessor and transferees had continued to remain in possession of the land in question.

39. In this regard the Co-ordinate Bench of this Court in **Writ-C No. 14904 of 2016** vide judgment and order dated 20.04.2025, also relied upon by the petitioner, after considering the law laid down by the Hon'ble Supreme Court in the case of A.P. Electrical Equipment Corporation (supra) in paragraph no. 21 had held as under :-

“21. In the present case, though the State has not been able to indicate exactly as to when possession was taken by the State, it is clear from the facts that by a Government Order dated December 11, 1996 the State, after having supposedly taken possession of the land, had transferred the same to Prayagraj Development Authority. However, in the counter-affidavit the State has not been able to indicate any notice under Section 10 (6) of the Ceiling Act having been issued to the land holder for forceful dispossession nor any amount having been paid by the State Government as compensation with respect to such land. These above facts tilt the scale in favour of the petitioners and one has to conclude that even though there have been laches on the part of the petitioners, the State has ultimately not ever been able to show de facto possession.”

40. Even in the present case, the respondents have utterly failed to demonstrate that any notice under Section 10 (6) of the Act, 1976 had ever been issued to the land holder or dispossession from the land in question of the land holder had been carried out by the State or any

amount (Sandeya Dhanrashi) had been paid by the State Government as compensation in respect of the land in question to the land holder. Hence, it is beyond doubt that the petitioners, their predecessors and transferees had remained in continuous possession of the land in question.

41. Under these circumstances, it is beyond doubt that the proceedings initiated in Ceiling Case No. 792/1105/80-81 (State vs. Lalji) under the Urban Ceiling Act, 1976 stood abated with the coming into force of the Repeal Act, 1999.

42. Hence the present writ petition is **allowed** and the order dated 20.09.2021 passed by Competent Authority-respondent no.3 as contained in Annexure No. 1 to writ petition is hereby quashed. The concerned revenue authorities are further directed to incorporate necessary correction in the revenue records accordingly within a period of one month of supply of certified copy of this order.

43. No order as to costs.

(Sudhanshu Chauhan,J.) (Saral Srivastava,J.)

January 20, 2026
Gaurav