



2026:AHC:37306

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 3076 of 2026

Dashrath And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Abhishek Kumar Yadav, Bhola Nath Yadav, Indra Jeet Yadav
Counsel for Respondent(s)	: Bhupendra Kumar Tripathi, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The order dated 25.09.2021 was passed for eviction and damages by the respondent no.3-Assistant Collector/Tehsildar, Madiyahu, Jaunpur. Since aforesaid order was passed in an ex-parte manner hence recall application was filed, which was dismissed vide order dated 15.12.2023. Aggrieved against the aforesaid an appeal being Appeal No.4945 of 2025, Computerized Case No.D202514360004945 was filed, which was dismissed by the respondent no.2-Collector/Ziladhikari, Jaunpur vide order dated 30.09.2025 hence present writ petition.

2. Apart from other arguments, one arguments has been raised that in the proceedings initiated an order dated 25.09.2021 was passed by the respondent no.3, which is illegal order since same has been passed without assigning any reasons.

3. It is further argued that procedure prescribed under Rule 2016 was not at all followed by the respondent no.2 while passing the order of eviction and damages against the petitioner. The recall application filed against the aforesaid order was also rejected without assigning any reasons.

4. In this view of the same, it is argued that the orders passed by the respondent no.3 is totally illegal and in violation of the law laid down by this Court in the case of ***Rishipal Singh and others Vs. State of U.P. and others*** reported in **2023 (1) ADJ 154**.

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

6. From perusal of the record it is clear that the orders passed by the respondent no.3 dated 25.09.2021 is non speaking order and has been passed in violation of law laid down by this Court in the case of Rishipal Singh (supra) hence same is liable to be set aside and is hereby quashed.

7. The writ petition is allowed. The matter is remanded back before the respondent no.3-Assistant Collector/Tehsildar, Madiyahu, Jaunpur to pass fresh order strictly in accordance with law.

(Prakash Padia,J.)

February 19, 2026

Pramod Tripathi