



2026:AHC:28592

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 906 of 2026

Ramashrey

.....Petitioner(s)

Versus

State Of Up And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kusum Mishra, Laxmi Kant Tripathi
Counsel for Respondent(s)	:	Azad Rai, C.S.C., Sachidanand

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Heard counsel for the petitioner, learned Standing Counsel appearing on behalf of Respondent Nos.1, 2 & 3, Shri Azad Rai, learned counsel appearing on behalf of Respondent No.4 as well as the learned Counsel appearing on behalf of caveator namely Sheetla Prasad.

2. Proceedings under Section 67 of the U.P. Revenue Code, 2006 was initiated against the petitioner on the report submitted by the Lekhpal dated 12.09.2020 which was registered as Case No.02050 of 2020, Computerized Case No.T202002030802050. The same was allowed by the Respondent No.3 namely Tehsildar, Tehsil Meja, District Prayagraj vide order dated 25.01.2022. By the aforesaid order the petitioner was evicted.

3. 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.2353 of 2024, Computerized Case No.D202402030002353. The said appeal was dismissed by the Additional District Magistrate, District Prayagraj on 29.11.2025.

4. It is argued by the counsel for the petitioner that initial order was passed by the Respondent No.3 is absolutely non-speaking order without recording the findings whatsoever as provided under the Rules of 2006.

5. Apart from various other arguments, one of the argument 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.

6. This fact is also admitted by counsel for the respondents.

7. In view of the same, since the order dated 25.01.2022 passed by the Respondent No. 3- Assistant Collector/ Tehsildar, Tehsil-Meja, District Prayagraj in Case No.02050 of 2020, Computerized Case No.T202002030802050 under Section 67 of Uttar Pradesh Revenue Code, 2006 as well as order dated 29.11.2025 passed by the Additional District

Magistrate (F & R), District Prayagraj in Case No.2353 of 2024, Computerized Case No.D202402030002353 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.

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

9. The respondent No.3/Tehsildar, Tehsil-Meja, 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)**, expeditiously and preferably within a period of **four months** from the date of presentation of of certified copy of this order.

(Prakash Padia,J.)

February 10, 2026

Swati