



2026:AHC:49152

## HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 8867 of 2026

Rabul Hasan

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 4 Others

.....Respondent(s)

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|---------------------------|------------------------------------|
| Counsel for Petitioner(s) | : Krishna Kumar Mishra, Mohd. Zaid |
| Counsel for Respondent(s) | : Arun Kumar Pandey, C.S.C.        |

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**Court No. - 6**

**HON'BLE PRAKASH PADIA, J.**

1. Heard Sri Mohd. Zaid, learned counsel for the petitioner, learned Standing Counsel for respondent Nos. 1 to 4 and Sri A.K. Pandey, learned counsel for respondent no. 5/Gaon Sabha.

2. The petitioner has preferred present writ petition inter-alia with the prayer to quash the impugned order dated 28.08.2025 passed by respondent no.4-Tehsildar (Judicial), Division, Moradabad, Tehsil Amroha, District Amroha in Case No. RST/9653/2021, Computerized Case No. T202113380109653 as well as order dated 29.01.2026 passed by respondent no.3-Upper Ziladhikari (Judicial), Division Moradabad, Tehsil and District Amroha in Case No. 1571/ 2025, Computerized Case No. D202513380001571.

3. It is argued by the learned counsel for the petitioner that petitioner is entitled for protection of Section 67-A of U.P. Revenue Code, 2006. This aspect of the matter has not been taken into consideration by the authorities concerned while passing the aforesaid orders. He further argued that order passed by the respondent no.4-Tehsildar (Judicial), Division, Moradabad, Tehsil Amroha, District Amroha is absolutely non speaking order and has been passed in violation of Rules 67 of U.P. Revenue Code, 2016.

4. 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 same are liable to be set aside.

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

6. In view of the same, since the order dated 28.08.2025 and 29.01.2026 were passed in complete violation of procedure prescribed in the case of Rishipal (supra) hence same are liable to be quashed and are hereby quashed.

7. With the aforesaid observations, the writ petition is ***allowed***. No order as to costs.

8. The respondent no.4-Tehsildar (Judicial), Division, Moradabad, Tehsil Amroha, District Amroha is directed to pass fresh order in accordance with law, most expeditiously, preferably within a period of four months from today.

9. Registrar (compliance) of this Court is directed to communicate this order to the respondent no.2-District Magistrate, District Amroha for necessary action.

**(Prakash Padia,J.)**

**March 10, 2026**

T.S.