



2026:AHC:45832

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 5975 of 2026

Vajeed And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Akash Kumar Verma
Counsel for Respondent(s)	:	C.S.C., Sudhir Bharti

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Proceedings under Section 67 of the U.P. Revenue Code, 2006 was initiated against the petitioners on the report submitted by the Lekhpal dated 10.05.2017 which was registered as Case No.01101 of 2018, Computerized Case No.T201805470101101. The same was allowed by the Respondent No.3/ Tehsildar, Judicial, Tehsil Sadar, District Maharajganj vide order dated 14.05.2018. By the aforesaid, an order of eviction and damages has been passed against the petitioners.

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.1104 of 2022, Computerized Case No.D202205470001104. The said appeal was dismissed by the Respondent No.2/ Additional District Magistrate, Finance and Revenue, Maharajganj vide order dated 06.12.2025.

3. It is argued that order passed by the Respondent No.3 against the petitioners has been passed without assigning any reasons.

4. Apart from various other arguments, one of the arguments has been raised by counsel for the petitioners 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.

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

6. In view of the same, since the order dated 14.05.2018 passed by the Respondent No.3/ Tehsildar, Judicial, Tehsil Sadar, District Maharajganj in Case No.01101 of 2018, Computerized Case No.T201805470101101 under Section 67 of Uttar Pradesh Revenue Code, 2006 as well as order dated 06.12.2025 passed by the Respondent No.2 namely Additional District Magistrate, Finance and Revenue, Maharajganj in Case No.1104 of 2022, Computerized Case No.D202205470001104 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.

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

8. The respondent No.3/ Tehsildar, Judicial, Tehsil Sadar, District Maharajganj 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 27, 2026

Swati