



2026:AHC:45591

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 6010 of 2026

Kishor

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Jai Prakash Tripathi, Radheshyam Yadav, Ranjeet Prajapati
Counsel for Respondent(s)	: C.S.C., Rameshwar Prasad Shukla

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Proceedings under Section 67 of the U.P. Revenue Code, 2006 was initiated against the petitioner on the report submitted by the Lekhpal dated 23.07.2018 which was registered as Case No.02362 of 2018, Computerized Case No.T201815090702362. The same was allowed by the Respondent No.3/ Tehsildar, Tehsil Belthra Road, District Ballia vide order dated 27.10.2023. By the aforesaid, an order of eviction and damages has been passed against the petitioner.

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.1327 of 2025, Computerized Case No.0202515090001327. The said appeal was dismissed by the District Magistrate, Ballia vide order dated 29.11.2025.

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

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 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 27.10.2023 passed by the

Respondent No.3/ Tehsildar, Tehsil Belthra Road, District Ballia in Case No.02362 of 2018, Computerized Case No.T201815090702362 under Section 67 of Uttar Pradesh Revenue Code, 2006 as well as order dated 29.11.2025 passed by the Respondent No.2 namely District Magistrate, Ballia in Case No.1327 of 2025, Computerized Case No.0202515090001327 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, Tehsil Belthra Road, District Ballia 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