



2025:004 - 1 40:29.570

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**WRIT - C No. - 12126 of 2025**

Phoolmati

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Panchayati Raj Deptt.  
Lko. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Vishnu Kumar Srivastava, Siddharth  
Tripathi

Counsel for Respondent(s) : C.S.C.

**Court No. - 17**

**HON'BLE SUBHASH VIDYARTHI, J.**

1. Heard Shri Vishnu Kumar Srivastava and Shri Siddharth Tripathi, the learned counsel for the petitioner and Shri Devendra Mohan Shukla, the learned Additional Chief Standing Counsel for the State of U.P.
2. By means of the instant petition, the petitioner has challenged the validity of an order dated 20.11.2025 passed by the District Magistrate, Bahraich (annexure No.4 to the writ petition) whereby the petitioner's financial and administrative powers as Pradhan of Village Panchayat- Godahiya No.2, Development Block- Kaiserganj have been seized under Section 95(1)(G) U.P. Panchayat Raj Act, 1947.
3. Assailing validity of the aforesaid order, the learned counsel for the petitioner has submitted that the order does not take into consideration explanation submitted by the petitioner in response to the show cause notice.
4. The learned Additional Chief Standing Counsel has submitted that the order mentions in detail the explanation submitted by the petitioner.
5. In response to the aforesaid submission, the learned counsel for the petitioner has submitted that although the order contains a detailed narration of the explanation submitted by the petitioner, it has not been dealt with by the District Magistrate while passing the order. The petitioner has categorically stated in his explanation that the copies of measurement book were being provided during explanation in support of the contention but the comment of the District Magistrate merely states that the amount has been paid without measurement book.

6. From the aforesaid contents of the impugned order itself, it appears that the copies of measurement book submitted by the petitioner along with his explanation submitted in reply to the show cause notice has not been dealt with by the District Magistrate while passing the impugned order.

7. As this Court does not propose to go into the correctness of the allegations, the petition is being decided without calling for a counter affidavit after hearing oral submissions of the learned Additional Chief Standing Counsel.

8. Accordingly, the writ petition is **allowed**. The order dated 20.11.2025 passed by the District Magistrate, Bahraich seizing the petitioner's financial and administrative powers as Pradhan of Village Panchayat, Godahiya No.2, Development Block- Kaiserganj under Section 95(1)(G) U.P. Panchayat Raj Act, 1947 is hereby **set-aside**.

9. The matter is remanded to the District Magistrate, Bahraich for passing the order afresh, after giving proper opportunity of hearing to the petitioner and after dealing with the points raised by the petitioner in a show cause notice, more particularly, the copies of measurement book submitted by the petitioner along with the reply to the show cause notice.

**December 16, 2025**

-Amit K-

**(Subhash Vidyarthi,J.)**