HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 44020 of 2026

Abhinav Lakhotiya And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Adarsh Singh
Counsel for Respondent(s)	:	C.S.C., Kaushalendra Nath Singh

Court No. - 1

HON'BLE AJIT KUMAR, J.
HON'BLE GARIMA PRASHAD, J.

1. Heard Sri Himanshu Singh, learned Advocate holding brief of Sri Adarsh Singh, learned counsel for the petitioner, Sri Sumit, learned Advocate holding brief of Sri Kaushalendra Nath Singh, learned counsel for the respondent - New Okhla Industrial Development Authority, Noida and learned Standing Counsel for the State respondents.

2. By means of this petition filed under Article 226 of the Constitution, petitioners want declaration of their land as non-agricultural land for industrial purposes, however, their application came to be rejected at the end of Sub Divisional Magistrate concerned. Thereafter, they filed revision before the Board of Revenue and Board of Revenue allowed the revision on 19th December, 2025 setting aside the order passed by the Sub Divisional Magistrate, Gautam Budh Nagar dated 4th January, 2025 and further directed the authority to take decision in terms of Section 80 of U.P. Revenue Code, 2006 and in the event petitioner makes deposit under Section 80(9) of U.P. Revenue Code, 2006.

3. From the records it transpires that petitioners have already made deposit under Section 80(9) of U.P. Revenue Code, 2006 and challan to this effect has been brought on record as Annexure – 6 to the writ petition.

4. In the circumstances, now we find no justification for Sub Divisional Magistrate not to proceed any further under Section 80 of U.P. Revenue Code, 2006.

5. Accordingly, we direct the Sub Divisional Magistrate concerned to proceed and finalize the proceedings under Section 80 of U.P. Revenue Code, 2006 *qua* the land in question in the light of the judgment of Board of Revenue and the consequential action of the petitioners in depositing the requisite amount under Section 80 (9) of the U.P. Revenue Code, 2006.

6. The appropriate decision shall be taken by Sub Divisional Magistrate concerned within a period of 60 days from the date of presentation of certified copy of this order.

7. With the aforesaid observations and directions, this petition stands disposed of.

(Garima Prashad,J.) (Ajit Kumar,J.)

October 29, 2026
Atmesh

Digitally signed by :-
ATMESH KESARI
High Court of Judicature at Allahabad