2026:AHC:227477

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 44312 of 2026

Mahipal Singh And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashutosh Pratap Singh, Lokendra Pratap Singh
Counsel for Respondent(s)	:	C.S.C., Hari Narayan Singh

Court No. - 4

HON'BLE SUDHANSHU CHAUHAN, J.

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State respondents.

2. The petitioners, being aggrieved by the order dated 20.04.2002, whereby the land belonging to the petitioners came to be recorded as pond land, preferred a revision. The revisional authority, vide order dated 30.03.2007, remanded the matter to the Sub-Divisional Magistrate for fresh consideration.

3. However, vide order dated 09.03.2015, the Sub-Divisional Magistrate again rejected the petitioners' application for want of evidence. Aggrieved by the aforesaid order, the petitioners once again approached the revisional authority, which allowed the revision vide order dated 28.08.2023, setting aside the order dated 09.03.2015 and directing the Sub-Divisional Magistrate to decide the controversy afresh after affording an opportunity of hearing to all the parties concerned. Pursuant thereto, the petitioner submitted detailed objections dated 22.01.2025, challenging the change in the classification of his land from agricultural to non-agricultural land.

4. The contention of learned counsel for the petitioners is that the aforesaid objections filed by the petitioners are still pending consideration and that the petitioners are apprehending eviction pursuant to the order dated 20.04.2002. It is, therefore, prayed that a direction be issued to the competent authority to decide the objections dated 22.01.2025 filed by the petitioners under Section 209(h) of the U.P. Revenue Code, 2006.

5. Learned Standing Counsel has no objection to the aforesaid prayer.

6. Considering the facts and circumstances of the case, and without entering into the merits of the controversy, the writ petition is **disposed of** with a direction to respondent no. 3-Sub-Divisional Officer, Jaswant Nagar, Etawah, to decide Case No. 5209 of 2026, Computerized Case No. T202603220305209 (State Vs. Mahipal Singh and Others), after considering the objections dated 22.01.2025 filed by the petitioners under Section 209 (h) of the U.P. Revenue Code, 2006, expeditiously, preferably within a period of four months from the date of production of certified copy of this order, after affording an opportunity of hearing to all the parties concerned.

November 2, 2026
Gaurav

(Sudhanshu Chauhan,J.)

Digitally signed by :-
GAURAV PATEL
High Court of Judicature at Allahabad