



2026:AHC:56357

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 10365 of 2026

Shri Kishan Pal

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Akshay Kumar Shukla, Ravindra Pal Singh Kashyap
Counsel for Respondent(s)	:	C.S.C.

Court No. - 36

HON'BLE ARUN KUMAR, J.

1. Heard Sri Akshay Kumar Shukla, learned counsel for the petitioner and learned Standing Counsel for the respondent nos.1 to 6.
2. The present writ petition has been filed challenging the order dated 31.12.2025, passed by the District Magistrate, Budaun, in exercise of powers under Section 27(1) of the U.P. Panchayat Raj Act, 1947.
3. Learned Standing Counsel has raised a preliminary objection stating that the order of the District Magistrate under challenge is questionable in appeal under Section 27(2) read with Rule 258(2) of the U.P. Panchayat Raj Rules, 1947.
4. Learned counsel for the petitioner states that he has already filed an appeal before the Commissioner, Bareilly Division, Bareilly, which is pending adjudication.
5. Perusal of the document filed as Annexure-2 purported to be an appeal under Rule 258(2) of the Rules of 1947 is a representation addressed to the Commissioner sent through registered post. There is nothing on record to show that any appeal has been registered before the Commissioner of the Division.
6. In view of the aforesaid, the present writ petition is disposed of with liberty to the petitioner to prefer an appeal before the Commissioner of the Division, which shall be heard and decided, in accordance with law.

7. It is made clear that if any appeal is filed by the petitioner in accordance with Rule 258(2) of the Rules of 1947, then the consequences mentioned in proviso to Rule 259 of the Rules of 1947 shall, accordingly, follow.

(Arun Kumar,J.)

March 19, 2026

Ranjeet Sahu