



HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 16370 of 2025

Amarpal Singh

.....Petitioner(s)

Versus

Manmohan Singh Chaddha

.....Respondent(s)

Counsel for Petitioner(s)	:	Arvind Srivastava, Rafiuddin Ansari
Counsel for Respondent(s)	:	

Court No. - 35

HON'BLE DR. YOGENDRA KUMAR SRIVASTAVA, J.

Heard Sri Arvind Srivastava along with Sri Rafiuddin Ansari, learned counsel for the petitioner.

The present petition has been filed seeking to assail the order dated 21.08.2025 passed by the Additional District Judge, Court No.4, Gorakhpur in Small Cause Revision No. 158/2024 (Manmohan Singh Chaddha vs. Amarpal Singh Chaddha), setting aside the order dated 12.09.2024 whereby the suit filed by the petitioner-plaintiff had been decreed by the trial court after coming to the conclusion that U.P. Act No. 13 of 1972 would not be applicable.

It is submitted that the revisional court while passing the order impugned has failed to consider the reasoning recorded by the trial court with regard to the shop in question having been constructed in the year 1991-1992, and therefore, in view of the proviso to sub-section (2) of Section 2 of U.P. Act No. 13 of 1972, the same would be exempt from the operation of the Act of 1972.

Matter requires consideration.

Issue notice to respondent returnable by 31.03.2026.

Steps be taken within a week.

Till the next date of listing, further proceedings before the trial court in the Small Cause Case No. 83 of 2016 (Amarpal Singh vs. Manmohan Singh Chaddha) shall remain in abeyance.

February 18, 2026

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(Dr. Yogendra Kumar Srivastava, J.)