

Court No. - 48

Case :- WRIT - B No. - 147 of 2023

Petitioner :- Mehadi Hasan

Respondent :- Additional District Magistrate (F And R) / Deputy Director Consolidation And Another

Counsel for Petitioner :- B.S. Pandey, Arvind Yadav

Counsel for Respondent :- C.S.C., Ayub Khan, Vijay Pratap Singh

Hon'ble Saurabh Shyam Shamshery, J.

1. Heard Sri B.S. Pandey, learned counsel for petitioner and Sri R.C. Singh, learned Senior Advocate assisted by Sri Ayub Khan, Advocate for contesting-respondents.
2. Learned counsel for parties fairly submit that by means of impugned order the matter has been remitted to Consolidation Officer, which would prolong the litigation and in order to avoid it this writ petition may be disposed of with direction that Additional District Magistrate/ Deputy Director of Consolidation, Sant Kabir Nagar will exercise its power and decide case afresh after calling fresh report.
3. In view of above, impugned order dated 13.12.2022 is hereby set aside and matter is remanded back to Additional District Magistrate/ Deputy Director of Consolidation, Sant Kabir Nagar to decide afresh on merit after calling fresh report in accordance with law. This exercise shall be concluded within a period of three months, if there is no legal impediment.
4. With aforesaid direction/observation, this writ petition is disposed of.

Order Date :- 28.10.2023

AK