

Court No. - 48

Case :- WRIT - B No. - 155 of 2023

Petitioner :- Rampal

Respondent :- Deputy Director Of Consolidation Meerut And 6 Others

Counsel for Petitioner :- Ashok Kumar Singh, Anoop Singh

Counsel for Respondent :- C.S.C, Abhitab Kumar Tiwari, Akash Mishra, Alok Mishra

Hon'ble Saurabh Shyam Shamshery, J.

1. This Court passed following order on 20.01.2023:

“Grievance of the petitioner is that Deputy Director of Consolidation without adverting to the grievance of the petitioner disturbed his chak and given Udan Chak over plot No.274, which is situated far away from his remaining chak.

It is submitted that the objection filed by respondent was discarded by Consolidation Officer and Settlement Officer of Consolidation, however, Deputy Director of Consolidation, revision being filed on behalf of respondents, has illegally reversed the orders passed by the courts subordinate without assigning any cogent reason.

Matter requires consideration.

Respondents No. 1 and 7 are represented through learned standing counsel.

Issue notice to the respondent Nos. 2 to 6 through R.P.A.D. fixing 24.03.2023.

Steps shall be taken within 15 working days.

In the meantime, parties shall exchange their respective affidavits, if any.

Till the next date of listing parties are directed to maintain status quo with respect to the nature and possession over the property in question.”

2. According to office report, service upon contesting-respondents is deemed sufficient. Some of the respondents are represented through their respective

Advocates, however, despite opportunity no counter affidavit has been filed till date and none appeared on behalf of respondents.

3. In view of above circumstances, I have heard Sri Ashok Kumar Singh, learned counsel for petitioner, who has repeated the submission quoted above.

4. I have carefully perused the impugned order that the authority has though noted submission of petitioner (respondent therein) that in case prayer of revisionist is accepted, other chak holders will be deprived of their original holdings but without considering it, revision was allowed, therefore, there is substance in above referred submission of petitioner.

5. In view of above, writ petition is partly allowed. Impugned order dated 20.12.2002 is hereby set aside. Matter is remitted back to Deputy Director of Consolidation, Meerut to decide afresh in accordance with law within a period of three months from today, if there is no legal impediment, after considering rival submissions.

Order Date :- 24.11.2023

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