

Court No. - 48

Case :- WRIT - B No. - 313 of 2023

Petitioner :- Sanjeev Kumar

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Surya Nath Yadav, Sukesh Kumar

Counsel for Respondent :- C.S.C., Brijendra Kumar, Hari Narayan Singh, Prabal Kumar Dixit

Hon'ble Saurabh Shyam Shamshery, J.

1. Heard Sri Sukesh Kumar, learned counsel for the petitioner and Ms. Pushpa Singh holding brief of Sri Prabal Kumar Dixit, learned counsel for the respondents.

2. Petitioner before this Court is aggrieved that Settlement Officer of Consolidation has allowed his appeal on the ground that shape of chak allotted to him ought to be rectangular and not multi cornered, but Revisional Authority has allowed the revision petition filed by respondents without adverting to said reasoning.

3. Learned counsel for the petitioner submits that a specific submission was raised during hearing in respect of shape of chak allotted to petitioner, however, it has not been referred while passing the impugned order.

4. Learned counsel for the respondents has not been able to show that such contention was considered in the impugned order.

5. In the aforesaid circumstances, since the order passed by Revisional Authority is bereft of reasons as well as bereft of factors given in Section 48 of Uttar Pradesh Consolidation of Holdings Act, 1953, therefore, the impugned order dated 21.10.2022 is set-aside and the matter is remitted to Revisional Authority to decide the revision petition afresh after considering the rival submissions in respect of shape of chak allotted to the petitioner.

6. Aforesaid exercise shall be completed within a period of six months.

7. With the aforesaid direction, this writ petition is disposed of.

Order Date :- 26.10.2023-SB