

Court No. - 48

Case :- WRIT - B No. - 864 of 2023

Petitioner :- Kallu

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Dharmendra Kumar Pandey

Counsel for Respondent :- C.S.C., Vivek Singh

Hon'ble Saurabh Shyam Shamsbery,J.

1. Sri Shrawan Kumar, Advocate appearing on behalf of petitioner who is just 15 days old in this profession even in absence of file has narrated the facts of the case from Court's file that case of the petitioner was not considered by Revisional Authority in a proper manner and by impugned order, great prejudice has been caused to the petitioner.

2. Number of grounds were taken in the memo of revision petition, but Revisional Authority has not considered in its correct perspective.

3. Vakaltnama has been filed by Sri Vivek Singh, Advocate on behalf of respondent nos.5 to 8 on 8.5.2023 however, till date no counter affidavit has been filed. Even he is not present when the case was called.

4. In aforesaid circumstances, I find merit in the argument of counsel for petitioner to the extent that this writ petition may be partly allowed and impugned order dated 3.10.2022 passed by Deputy Director of Consolidation may be set-aside.

5. In view of above, impugned order dated 3.10.2022 passed by Deputy Director of Consolidation is set-aside and matter is remitted to Deputy Director of Consolidation to decide afresh after hearing the parties considering the grounds taken before this Court as well as in the memo of revision expeditiously, preferably within a period of three months from today.

6. With the aforesaid direction/observation, this writ petition is partly allowed.

Order Date :- 16.12.2023

SB