

Court No. - 48

Case :- WRIT - B No. - 1759 of 2023

Petitioner :- Kalyan Singh And Another

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Santosh Kumar Srivastava, Rati Bhan Singh

Counsel for Respondent :- C.S.C, Pankaj Kushwaha, Suresh Chandra Kushwaha

Hon'ble Saurabh Shyam Shamsheery, J.

The petitioners have approached this Court against impugned order whereby Deputy Director of Consolidation has remitted the case to Settlement Officer Consolidation to decide it afresh.

Sri Santosh Kumar Srivastava, learned counsel for petitioners submits that this is second round of litigation, therefore, the Revisional Authority who has already power under Section 48 read with its Explanation 3 of U.P. Consolidation of Holdings Act, 1953 may instead of remitting the matter to Settlement Officer Consolidation, decide the revision petition on merit itself.

Sri Pankaj Kushwaha, learned counsel for respondent Nos.3 to 9 have no objection in aforesaid submission.

In view of the above submission, impugned order is set aside and the Deputy Director of Consolidation is directed to decide the revision petition on merit after hearing all the parties, in accordance with law, expeditiously, preferably within a period of six months from today.

The writ petition is accordingly, **disposed of.**

Order Date :- 19.10.2023

P. Pandey