

Court No. - 48

Case :- WRIT - B No. - 3110 of 2023

Petitioner :- Jeet Ram And 18 Others

Respondent :- State Of U.P. And 34 Others

Counsel for Petitioner :- Rajeev Kumar, Prashant Yadav

Counsel for Respondent :- CSC, Sunil Kumar Singh

Hon'ble Saurabh Shyam Shamsbery, J.

1. Heard Sri Prashant Yadav, learned counsel for petitioners, Sri Sunil Kumar Singh for the respondents.
2. This is the second round of litigation. In first round this Court vide order dated 11.7.2023 passed in Writ-B No. 592 of 2023 has granted permission to petitioners to file objections within a period three weeks from the date of order.
3. Learned counsel for the petitioners submits that due to unavoidable circumstances, objections were not filed within the aforesaid period and objections were filed on 21.8.2023 i.e. after period of three weeks. He further submits that in the garb of order passed by this Court, Consolidation Officer, Ghaziabad has declined to accept reply/objections despite no effective proceedings has taken place and the matter was posted for framing of issues.
4. Learned counsel for the petitioners on instructions further submits that till date no issues have been framed.
5. In the aforesaid circumstances, there is no dispute that petitioners were lethargic in filing their objections within the period prescribed by this Court. However, Consolidation Officer has read the order passed by this Court and declined to even accept their objections after the aforesaid period expired.
6. This Court has not barred the Consolidation Officer to accept objections even after the expiry of aforesaid period specifically when no prejudice could be caused to any of the parties.
7. In the aforesaid circumstances, period of seven days is granted to the petitioners to file reply which shall be taken on record.

8. This order is passed on the premises that till date no issues have been framed. The authority has taken a very technical approach which was not warranted.

9. This writ petition is **disposed of** with further direction that petitioners will deposit Rs.1000/- before District Legal Services Authority, Ghaziabad.

Order Date :- 19.10.2023

SB