

Court No. - 48

Case :- WRIT - B No. - 3259 of 2022

Petitioner :- Rajeev Kumar And Another

Respondent :- Deputy Director Of Consolidation And 4 Others

Counsel for Petitioner :- Ashok Kumar Singh, Kanjaanan Pyare Singh, Mohd. Afzal, Shahrukh

Counsel for Respondent :- C.S.C., Alok Mishra, Vinayak Varma and

Case :- WRIT - B No. - 2934 of 2022

Petitioner :- Ram Prakash

Respondent :- Deputy Director Of Consolidation And 14 Others

Counsel for Petitioner :- Shiv Shankar Pd Gupta, Girijesh Kumar Gupta

Counsel for Respondent :- C.S.C., Alok Mishra, Vaibhav Tripathi, Vinayak Varma

Hon'ble Saurabh Shyam Shamshery, J.

1. With consent of learned counsel for rival parties, both writ petitions are being decided by this common judgment.

2. S/Sri Shahrukh and R.K. Tyagi, learned counsel for petitioners and S/Sri Alok Mishra and Vinayak Varma, learned counsel for respondents in Writ No. 3259 of 2022 and Sri Shiv Shankar Pd. Gupta, learned counsel for petitioner and S/Sri Alok Mishra and Vinayak Varma, learned counsel for respondents in Writ No. 2934 of 2022 are present.

3. Heard learned counsel for parties at length, however,

due to following reason, matter is required to be remitted back to Deputy Director of Consolidation to pass a fresh order after hearing rival parties expeditiously within a period of six months -:

(a) The petitioner in Writ No. 2934/2022 has been granted major portion of land of chak no. 1544 despite it was not his original chak whereas petitioners in Writ No. 3259/2022 have been deprived of their original holdings abut to road though of a short area in chak no. 1544 and has been given entire chak on other holding at chak no. 1556. So far as respondents no. 4 and 3 and respondents no. 3 and 4 in both writ petitions respectively are concerned, though their grievance have been satisfied that from multicorner chak, their chak have been converted in rectangular shape, however, while doing so, above anomalies have been occurred.

4. In view of above discussion and consent of parties, the impugned order in both writ petitions are set aside and matter is remitted back to Deputy Director of Consolidation to decide the matter afresh, after hearing rival parties, expeditiously, preferably within six months from today.

5. The Deputy Director of Consolidation will also take note of source of irrigation of all parties as well as shape of chak while deciding matter afresh.

6. Accordingly, both writ petitions are **disposed of**.

Order Date :- 27.10.2023

Nirmal Sinha