

Court No. - 48

Case :- WRIT - B No. - 3763 of 2023

Petitioner :- Sharm Singh

Respondent :- State Of U.P. And 32 Others

Counsel for Petitioner :- Gopal Krishna,Vipul Singh

Counsel for Respondent :- C.S.C,Brajesh Shukla

Hon'ble Saurabh Shyam Shamsbery,J.

Heard Sri Vipul Singh, learned counsel for petitioner, Sri Brajesh Shukla, learned counsel for contesting respondents.

I find substantial merit in argument of Sri Vipul Singh, learned counsel for petitioner that since order passed by Appellate Authority appears to be an ex-parte order and that specific averment was taken by petitioner while filing the revision petition, therefore, Revisional Authority ought to have referred or considered the said averment.

Having referred above and considering that matter has been remitted to Consolidation Officer by an order passed by Settlement Officer Consolidation, therefore, all issues, legal or factual, are still open to agitate before concerned Authority, therefore, later on a fair statement made by counsel for the parties that the Consolidation Officer may decide the case on merit, expeditiously, preferably within a period of three months, is taken note of.

Accordingly, without interfering with impugned order, this writ petition is **disposed of** with observation/direction that concerned authority shall decide the matter, expeditiously, preferably within a period of three months, if there is no legal impediment.

Order Date :- 8.11.2023

P. Pandey