

Court No. - 48

Case :- WRIT - B No. - 3946 of 2023

Petitioner :- Udaypratap And Another

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Ram Chandra Kushwaha

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Shyam Shamshery,J.

1. Heard Sri Ram Chandra Kushwaha, learned counsel for the petitioners.
2. Petitioners were in great slumber and woke up at a belated stage when already an order passed by Settlement Officer of Consolidation was confirmed vide order dated 27.8.1996 passed on revision petition filed by other parties.
3. Restoration application to recall the order passed by Settlement Officer of Consolidation was rejected by him on the ground that there was no sufficient ground to condone the extraordinary delay. Revision petition was later on dismissed on the ground that order of Settlement Officer of Consolidation was confirmed in the year 1996.
4. This writ petition has been filed challenging the orders dated 19.9.1989, 9.5.2018, 27.8.1996 and 10.7.2023.
5. In this writ petition only ground mentioned is that grandfather of the petitioners died in the year 1982 however, delay of more than about four decades has not been explained properly.
6. Submissions of counsel for the petitioners that they were minor would also be not a sufficient ground to condone the delay since at present one of the petitioner is aged about 60 years, therefore, he must have born before 1963, therefore, the ground that he had no knowledge has no basis.
7. This writ petition has been filed at a belated stage when already an order passed by Settlement Officer of Consolidation was confirmed vide order dated 27.8.1996 with an extraordinary delay and since there is no sufficient ground to condone such huge delay, I do not find any merit in this writ petition.
8. Writ petition is accordingly dismissed.

Order Date :- 29.11.2023

SB