

Court No. - 48

Case :- WRIT - B No. - 4095 of 2023

Petitioner :- Raj Kumari And 3 Others

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- Adya Prasad Tewari

Counsel for Respondent :- C.S.C, Mohit Verma, Sachida Nand Tripathi

Hon'ble Saurabh Shyam Shamsheery, J.

Heard Sri Adya Prasad Tewari, learned counsel for petitioners and Sri Sachida Nand Tripathi, learned counsel for contesting respondents.

The matter has reached up to this Court earlier at stage of objections being not decided on merit, therefore, this Court by an order dated 04.09.2014 passed in Writ-B No.-36480 of 2008 has remitted the case to Consolidation Officer.

On remit the Consolidation Officer has decided objections and appeal thereof was also dismissed at behest of petitioners. The revision thereof was allowed and now matter is remitted to Consolidation Officer since certain issues were not decided.

Counsels for parties have submitted that in order to avoid delay in disposal of case as well as that issue on which matter has been remitted can be decided by Revisional Authority also since it has wide power as provided under Section 48 of U.P. Consolidation of Holdings Act, 1953, matter be remitted back to Revisional Authority.

I have found merit in above referred argument, therefore, order dated 21.11.2023 is set aside and matter is remitted back to Deputy Director of Consolidation to decide afresh including the issues on which matter was remitted to Consolidation Officer, on merit, after hearing the parties preferably within a period of six months, if there is no legal impediment.

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

Order Date :- 12.12.2023

P. Pandey