

Court No. - 6**Case :-** WRIT - B No. - 1065 of 2023**Petitioner :-** Ashok Kumar**Respondent :-** Deputy Director Of Consolidation, Lakhimpur Kheri And Others**Counsel for Petitioner :-** Digvijay Singh Yadav, Manish Kumar Singh, Shikha Yadav**Counsel for Respondent :-** C.S.C.**Hon'ble Rajnish Kumar, J.**

Heard Sri Digvijay Singh learned counsel for the petitioner and Sri Upendra Singh learned Additional Chief Standing counsel.

This petition has been filed challenging the order dated 21.01.2021 passed in Case no.14 of 2020-21 under Section 42(A) of U.P. Consolidations of Holdings Act, 1953 (Ram Kumar and others vs State) on application for correction of the area of Gata no.1239 which was recorded during consolidation proceedings as 0.88 acre whereas the area is 1.16 acre. The application has been dismissed by the said order being highly time barred. Even otherwise, it is admitted case of the petitioner in the application that it was recorded as 0.88 acre. The revision filed by the petitioner has also been dismissed by means of the order dated 30.08.2023 by the Deputy Director of Consolidation as the application has been moved after 24 years.

Learned Additional Chief Standing counsel submits that as admitted by learned counsel for the petitioner in the application in revision the area of Gata no.1163 in khata no.548 as 0.88 acre in which the petitioner is claiming half share and accordingly he has been given 0.44 acre. If the area was wrongly recorded during consolidation proceedings, the petitioner could have filed objection and if he has not filed the objection and claims that the area has wrongly been recorded then he may initiate appropriate proceedings as may be permissible in law, if any. However, it is not a case of correction, for which, an application was also moved after 24 years.

At this stage, learned counsel for the petitioner submits that the petition may be dismissed as not pressed with liberty to enable

him to avail appropriate remedy as may be available under law.
To which, there is no objection by the learned Additional Chief
Standing counsel.

In view of the above, the petition is dismissed as not pressed
with the aforesaid liberty, if so advised.

(Rajnish Kumar,J.)

Order Date :- 8.12.2023/Harshita