

Court No. - 4

Case :- WRIT - B No. - 660 of 2024

Petitioner :- Mohammad Tajuddin And 2 Others

Respondent :- Deputy Director Of Consolidation Ayodhya And 5 Others

Counsel for Petitioner :- Suresh Chandra Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Subhash Chandra Sharma,J.

Vakalatnama filed on behalf of the opposite party no.3 today is taken on record.

Heard learned counsel for the petitioner as well as learned counsel for the opposite party no.3 alongwith learned C.S.C. and perused the material on record.

The present writ petition has been filed with following prayers :-

(I) Issue a direction to opposite party no.1 i.e. Deputy Director of Consolidation, Ayodhya to stay the operation of order dated 13.05.2024 passed by Settlement Officer of Consolidation Ayodhya in appeal No.819/487+1280/877 Computerized Case No.201954042300009 during pendency of revision no.2631/2024 u/s 48(1) U.P.C.H. Act.

(II) Issue a direction to opposite party no.1 i.e. Deputy Director of Consolidation, Ayodhya to decide the application for stay of order dated 13.05.2024 filed by petitioners in revision no.2631/2024 u/s 48(1) U.P.C.H. Act pending since 22.05.2024.

It is submitted by learned counsel for the petitioner that in this case a revision was filed before the learned D.D.C. on 22.05.2024 against the order passed by learned S.O.C. Further submitted that the revision was admitted but stay application is still pending and no any order has been passed on it, therefore, requested to direct the learned D.D.C. to decide the same in accordance with law.

Learned counsel for the opposite party no.3 also contended that the petitioner has filed the aforesaid revision against the dead person before the learned court of D.D.C. against which he has filed objection before the learned D.D.C. Further contended that a revision filed against the dead person cannot be said to be

maintainable.

Considering the facts and circumstances of the case, submissions made by learned counsel for both the parties, it is expedient to direct the learned court of D.D.C. to decide the objection moved by the opposite party no.3 first and then to decide the stay application pending before the learned court concerned in accordance with law within a period of **60 days**.

Accordingly, this petition is ***disposed of*** with the above direction.

Order Date :- 24.6.2024

Ashok Gupta