



2025:004 - 1 K0:29650

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - B No. - 1162 of 2025

Ram Sundar And Others

.....Petitioner(s)

Versus

Deputy Director Of Consolidation,
Sultanpur And Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Prabhu Ranjan Tripathi, Rajeev Kumar Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 5

HON'BLE ALOK MATHUR, J.

1. Heard Sri Rajeev Kumar Singh, learned counsel for petitioners as well as learned Standing Counsel on behalf of respondent Nos. 1 to 3.
2. In light of the proposed order, notices to private respondents are dispensed with.
3. It has been submitted by learned counsel for the petitioner that Ramadhar was the recorded bhumidhar of Gata No. 113, 114, and 36 of land situated at village Rampur, Paragna - Asai, Tehsil - Amethi, District Sultanpur (now Amethi) and when the consolidation proceedings commenced in the said village, the name of Ramadhar was recorded as the sole bhumidhar of the aforesaid lands. It has further been submitted that during consolidation operations, certain manipulations were made in the revenue records, and the name of Durpati Devi, W/o Late Ganga, Sanwari & Kalpi daughters of Vishwanath were entered in the revenue records for the aforesaid land.
4. When the father of the petitioners came to know about the aforesaid entries in the revenue records, he filed two appeals

before the Settlement Officer Consolidation, Sultanpur on 22.01.2013, where the respondents did not appear to contest the matter, and both the appeals were decided by a common judgment dated 13.03.2015. Respondent No. 18, namely, Shiv Prasad, thereafter filed a revision before the Deputy Director of Consolidation, assailing the order dated 13.03.2015.

5. The Deputy Director of Consolidation allowed the said revision by means of an order dated 30.01.2020, on the ground that opportunity of hearing was not granted to the revisionist therein. Apart from the aforesaid, the issue pertaining to the jurisdiction of the Settlement Officer, Consolidation, Sultanpur, to decide the said dispute was also an issue which was directed to be decided in the remand proceedings by the Settlement Officer, Consolidation.

6. In the remand proceedings, the Settlement Office, Consolidation, Sultanpur, after going through the various notifications wherein a new district of Amethi had been carved out was of the view that the appeals were filed by the petitioner in 2013 and the new district had been created in 2010 and therefore only the Settlement Officer, Amethi, was the proper appellate authority, and accordingly, only on this ground, he dismissed the appeals preferred by the petitioner. The petitioners thereafter have filed a revision before the Deputy Director of Consolidation, which has also been rejected by means of the impugned order dated 26.06.2025, affirming the order of the Settlement Officer Consolidation, dated 16.03.2023 and therefore in the present petition, the petitioners have challenged the validity of the orders dated 16.03.2025, and 26.06.2025.

7. Learned counsel for the petitioner, assailing the aforesaid orders, has submitted that appeal is continuance of the proceedings of the trial court, and once the matter was decided by the Settlement Officer Consolidation, Sultanpur, and the matter was subsequently remanded, then only the Settlement

Officer Consolidation, Sultanpur, had a jurisdiction to hear the appeal, and not the Settlement Officer Consolidation, Amethi. It has been submitted that initially the matter was decided by the Consolidation Officer, Sultanpur on 05.08.1970, and 09.08.1971. In this regard, there is no dispute that on the said date only district Sultanpur existed and land of the petitioners were included in District Sultanpur.

8. Learned Standing Counsel on the other hand has vehemently opposed the writ petition. He has submitted that by means of the Government Order dated 21/05/2003, District Chhatrapati Shahuji Maharaj was created, which included certain portions of land which were previously included in District Raebareli, as well as in District Sultanpur. Subsequently, on 13/11/2003, the State Government rescinded its previous notification dated 21/05/2003, and all of the lands reverted back to their original districts, namely, Raebareli and Sultanpur. It is stated that on 01.07.2010, a notification was issued, reinstating the previous notification dated 13/11/2003, whereby a new district, namely, Chhatrapati Shahuji Maharaj, was created out of lands which were previously included in districts Sultanpur and Raebareli. There is no dispute with regard to the fact that the lands owned by the petitioners which are the subject matter of the present dispute fall into the territorial limits of the newly created district. It has been submitted that by another notification dated 14/07/2013, the name of district Chhatrapati Shahuji Maharaj was changed to Amethi.

9. It is in the aforesaid facts that it is clear that, when the proceedings were initiated and the orders dated 05/08/1970 and 09/08/1971 were passed, the lands of the petitioners were stood part of District Sultanpur, and therefore, the said orders were passed by the Consolidation Officer, Sultanpur. The appeals against the said orders were filed in 2013 before the Settlement Officer Consolidation, Sultanpur.

10. The question which falls for consideration before this Court

is that after the creation of the new district, previously known as Chhatrapati Shahuji Maharaj and subsequently known as District Amethi whether the appeals were maintainable before the Settlement Officer Consolidation, Sultanpur.

11. At this stage, it is relevant to notice that in the notification dated 01/07/2010, it was clearly provided that the creation of a new district will not affect any legal proceedings which have been initiated in the concerned district prior to the formation of the said district. It has been stated that, according to Clause 2 of the notification dated 01/07/2010, all proceedings which have been initiated in a particular district will continue till the conclusion of the said proceedings and the pending files would not be transmitted to the newly created district.

12. In the present case, the appeal was preferred by the petitioners after 01.07.2010, and according to the respondents should have been filed appeal before the Settlement Officer Consolidation, Amethi. The only argument raised by the petitioner is that, once the proceedings were initiated before the Consolidation Officer, Sultanpur, then they would continue till conclusion before the authorities at Sultanpur.

13. After giving an anxious consideration to the rival contentions this Court is unable to agree with the arguments raised by the the petitioner. It is noticed that the proceedings before the Consolidation Officer concluded when he passed the order dated 05/08/1970 and 09/08/1971. The appeals were filed only in 2013, when the new district of Amethi had been created. Prior to the filing of the appeals, no other proceedings were pending which could have continued as per Clause 2 notification 01.07.2010. The institution of fresh appeals could have been done only in the newly created district of Amethi, and accordingly, institution of appellate proceedings at Sultanpur was clearly without jurisdiction, and after creation of the new district, the Settlement Officer Consolidation, Sultanpur ceased to have any territorial jurisdiction over the

matters which had arisen from the newly created district of Amethi. It is for this reason, this Court finds that the Settlement Officer Consolidation, Sultanpur in its order dated 16/03/2023, has correctly interpreted the notifications, which interpretation has also been affirmed by the Deputy Director of Consolidation in his order dated 26.06.2025 2025.

14. It is for the aforesaid reasons, this Court finds that the petitioner ought to have instituted the appellate proceedings before the Settlement Officer Consolidation, Amethi, and it is for the aforesaid reasons, this Court does not find any merit in the challenge to the orders dated 16.03.2025 to 26.06.2025 The writ petition is devoid of merit and is accordingly **dismissed**.

15. The Settlement Officer Consolidation, Sultanpur, is directed to transmit the appeals to the Settlement Officer Consolidation, Amethi, forthwith, in case they have not already transmitted it, and the Settlement Officer Consolidation, Amethi, is directed to proceed with the matter and decide the same expeditiously in accordance with the law.

December 16, 2025

Ravi/

(Alok Mathur,J.)