2026:AHC:209984

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 3255 of 2026

Rambir Singh

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Brajesh Kumar, Ram Sanehi Yadav
Counsel for Respondent(s)	:	Arun Kumar Pandey, C.S.C.

Court No. - 50

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard learned counsel for the petitioner, learned Standing Counsel for the State-respondents and Shri Arun Kumar Pandey, learned counsel for respondent No. 5.

The present writ petition has been filed seeking issuance of a writ of certiorari quashing the impugned order dated 30.3.2026 passed by the respondent No.2, Deputy Director of Consolidation, order dated 8.7.2025 passed by the respondent No. 3, Settlement Officer of Consolidation, Amroha and order dated 20.11.1999 passed by the respondent No. 4, Consolidation Officer.

It is contended that the petitioner is the chak holder of Chak No. 169 comprising of Gata No. 24, area 0.405 hecatre, village Khurtia, Tehsil and Pargana Husanpur, District J.P. Nagar (Amroha). The aforesaid chak was allotted to the petitioner from his basic holdings consisting of Gata No. 260. The petitioner is stated to have filed time barred objections under Section 21(1) of the Consolidation of Holdings Act (hereinafter referred to as "the Act") in respect of his Chak No. 169 with a relief that the his chak over Gata No. 260 may be removed and instead he be allotted chak over Gata No. 1/1, which was reflected in the *Bachat Khata*.

The Consolidation Officer, vide order dated 20.11.1999 found that the demand of the petitioner was genuine and accordingly, allotted chak over Gata No. 1/1 from the *Bachat* land. Against the order dated 20.11.1999, a restoration application is stated to have been filed that the

exparte order dated 20.11.1999 be set aside and the Gram Sabha be afforded an opportunity of hearing. The Consolidation Officer, vide order dated 3.8.2021 while considering the recall application, noticed that there was no Bachat land of the Gram Sabha on which chak could be proposed and that the Notification under Section 52 of the Act had already taken place. The restoration application was highly time barred and no reasons has been disclosed for the delay. Accordingly, vide order dated 3.8.2021, the Consolidation Officer proceeded to reject the application and the records of the case was consigned to records. Thereafter, the petitioner filed an appeal under Rule 109A(3) of the U.P. Consolidation of Holdings Rules before the Settlement Officer of Consolidation. The Settlement Officer of Consolidation, while considering the appeal, found that the Notification under Section 52 of the Act had already taken place and the relief claimed by the petitioner could not be considered. Accordingly, vide order dated 8.7.2025, the Settlement Officer of Consolidation proceeded to dismiss the appeal. The revision preferred by the petitioner has also been rejected.

The Deputy Director of Consolidation, while considering the revision of the petitioner, found that the Consolidation Officer after accepting the objections of the petitioner in terms of the demand raised by the petitioner, passed the order dated 20.11.1999 and allotted chak over Gata No. 1/1 from the *Bachat* land. The Deputy Director of Consolidation found that the petitioner had full knowledge of the proceedings.

The Deputy Director of Consolidation noticed that it was own demand of the petitioner that the chak was proposed over Gata No. 1/1 and merely after passage of 23 years, there was no occasion for amendment in the record, particularly when the Notification under Section 52 of the Act had already taken place. Accordingly, the Revisional Authority found the revision to be not maintainable. Accordingly, vide order dated 30.3.2026, the revision has been dismissed.

I have heard learned counsel for the parties and have perused the record.

The Court finds that the Deputy Director of Consolidation was perfectly justified in rejecting the revision of the petitioner in view of the fact that it

sought to reopen the proceeding after 23 years and that too after publication of the Notification under Section 52 of the Act. There is no merit in the writ petition and the same is accordingly ***dismissed***.

(Ashutosh Srivastava,J.)

October 7, 2026
Ravi Prakash

Digitally signed by :-
RAVI PRAKASH
High Court of Judicature at Allahabad