2026:AHC:230742

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 4428 of 2026

Devendra

.....Petitioner(s)

Versus

State Of U.P. And 21 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ajay Kumar Dwivedi, Brajesh Shukla
Counsel for Respondent(s)	:	Arun Kumar Pandey, C.S.C., Pankaj Sharma

Court No. - 50

HON'BLE ASHUTOSH SRIVASTAVA, J.

Heard Sri Brajesh Shukla, learned counsel for the petitioner, Sri Pankaj Kumar learned Standing Counsel for the State Respondents as also Sri S. S. Sharma, under the authority of Sri Pankaj Sharma, learned counsel for the Caveator/Respondent No. 3 Chaman Singh. Sri Arun Kumar Pandey, learned counsel has appeared on behalf of the Respondent No. 9 the Gram Sabha concerned.

The writ petition arises out of chak allotment proceedings. The challenge laid is to the order dated 29.8.2026 passed by the Deputy Director of Consolidation in Revision No. 166/144 of 2026 (Chaman Singh Vs. Vdal Singh and Others) and Revision No. 264/165 of 2026 (Devendra Singh Vs. Vdal Singh and Others) whereby and whereunder the Revisions have been party allowed.

It is the case of the writ petitioner that he is Chak Holder of Chak No. 196 and his original holdings are contained in Gata Nos. 26/1, 55, 53, 58, 7/13 and others. The brother of the petitioner Laxman arrayed as Respondent No. 14 is Chakholder No. 435 with original holdings in Gata Nos. 26/1, 55, 53, 58, and 7/13 and others. The contesting Respondent No. 3, Chaman Singh is Chak Holder No. 119 with original holdings in Gata Nos. 26/1, 53, 55, 58, and 7/13.

Learned counsel for the petitioner contends that at the Assistant Consolidation Officer level the petitioner was proposed two Chaks. The 1st chak over Gata No. 55, 88M and the 2nd chak over Gata No. 26/1. The petitioner was not proposed any chak with Plot No. 7/13M though the said

plot was his original holding. The chaks allotted to the petitioner was maintained both at the Consolidation Officer and Settlement Officer of Consolidation levels. The contesting Respondent No. 3, Chaman Singh, was also proposed two chaks. The 1st chak was proposed over Gata No. 53 while the 2nd chak was proposed over Gata No. 55. At the Settlement Officer of Consolidation level the Respondent No. 3, Chaman Singh was proposed 3rd chak with Gata No. 7/13M.

Learned counsel for the petitioner next contends that the petitioner filed a Revision before the Deputy Director of Consolidation being Revision No. 264/165 of 2026 to modify the shape of the 2nd chak on Gata No. 26/1 from 'L shape' to rectangular. The Respondent No. 3 also filed Revision No. 166/144 of 2026 aggrieved by the order of Settlement Officer of Consolidation proposing him the 3rd Chak on 7/13M. Another Revision was filed by the Gram Sabha being Revision No. 178/149 of 2026 impleading the Respondent No. 3, Chaman Singh against the order dated 18.12.2025 with the relief of carving out a single chak with Gata No.7.

The Deputy Director of Consolidation under the impugned order dated 29.08.2026 has partly allowed all the three Revisions.

Learned counsel for the petitioner has argued that the Deputy Director of Consolidation has illegally allowed the Revision as a consequence of which Gata No. 26/1, which is roadside land has been allotted in the chak of the Respondent No. 3. No spot inspection was made by the Deputy Director of Consolidation nor the convenience and hardships of the parties has been considered. The petitioner has been granted Gata No. 7/13M, which is sandy land and less fertile while Gata No 26/1 is roadside land and the same has been allotted to Respondent No.3. There has been clear violation of the provisions of Section 19 of the Consolidation Holdings Act inasmuch as petitioner who had earlier been allotted two chaks has now ended up being allotted three chaks. It is, accordingly, prayed that impugned order be quashed and the writ petition allowed as prayed.

Per contra, learned Standing Counsel as also counsel for contesting Respondents No. 3 have opposed the writ petition by contending that the order impugned is just and proper and calls for no interference by this Court.

They have invited the attention of the Court to the findings recorded by the Deputy Director of Consolidation in his order which is quoted here under:-

"निगरानीकर्ता चकदार संख्या-196 की मुख्य मांग है कि निगरानीकर्ता के चक सं0 196 के प्रथम चक गाटा सं0 26/1 को यथास्थान संशोधित कर उसकी एल आकृति को समाप्त कर चौकोर आकृति का चक बनाया जावे। भूचित्र व अभिलेखों के अवलोकन से विदित है कि निगरानीकर्ता का जोत चकबन्दी आकार पत्र-11 के खाता संख्या-07 के गाटा संख्या-26/1 मि० रकवा 0.0200 हे0 में 1/24 अंश एवं खाता संख्या-175 के गाटा संख्या-26मि० रकवा 0.5900 हे0 में 1/8 अंश यानि 0.0730 हे0 अंश होता है। जबकि निगरानीकर्ता का गाटा संख्या- 26/1मि पर रकवा 0.2561 हे0 का चक प्रदिष्ट है। निगरानीकर्ता के दोनों चक सड़क किनारे के बहुमूल्य गाटा संख्या-55 एवं 26/1 पर ही प्रदिष्ट हैं, जबकि निगरानीकर्ता के अन्य सहखातेदारों के तीन-तीन चक प्रदिष्ट है। गाटा संख्या-26/1 सड़क किनारे का बहुमूल्य गाटा है। यदि निगरानीकर्ता की मांग के अनुसार इसी रकवा को लेकर निगरानीकर्ता का चक चौकोर प्रदिष्ट किया जाता है तो अन्य सहखातेदार एवं चकदारों के चक अधिक लम्बाई में प्रदिष्ट हो जाएंगें एवं गाटा संख्या- 26/1मि० के सहखातेदार सड़क की मूल्यवान भूमि के फ्रन्ट से वंचित हो जाएंगे।

इसके अतिरिक्त अभिलेखों के अवलोकन से विदित है कि गाटा संख्या-7/13मि0 में निगरानीकर्ता चकदार संख्या-196 का 0.1303 है० अंश है। जोकि गाटा संख्या-26/1मि0 के अंश से भी अधिक है। यदि निगरानीकर्ता चकदार संख्या-119 का तृतीय चक की मालियत का चक गाटा संख्या-7/13 से समाप्त कर गाटा संख्या-26 मि० पर एवं निगरानीकर्ता चकदार संख्या-196 का भी चक संख्या-119 की मालियत के बराबर का ततीय चक गाटा संख्या -7/13 पर प्रदिष्ट किया जाता है तो निगरानीकर्ता चकदार संख्या-196 का चक चौकोर हो जाएगा एवं सभी खातेदार लगभग अपने अंश को पा जाएंगे। "

In the wake of the above this Court is not inclined to interfere with the impugned order of the Deputy Director of Consolidation. The writ petition is devoid of merits and is, accordingly, dismissed.

There shall, however, be no order as to costs.

November 3, 2026
pks

(Ashutosh Srivastava,J.)

Digitally signed by :-
PAWAN KUMAR SINGH
High Court of Judicature at Allahabad