

Sl. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPMS No.3520 of 2025 <b><u>Hon'ble Pankaj Purohit, J.</u></b> Mr. Rajendra Dobhal, learned Senior Advocate assisted by Mr. Shubhang Dobhal, learned counsel for petitioner.</p> <p>2. Mr. Sudhir Kumar Nailwal, learned Standing Counsel for the State.</p> <p>3. This writ petition has been filed under Article 227 of the Constitution of India challenging the order dated 25.09.2025 (Annexure-5 to the writ petition), passed by the learned Settlement Officer (Consolidation), Rudrapur, Udham Singh Nagar in Appeal No.316 of 2025 under Section 11(1) of the U.P. Consolidation of Holdings Act, <i>Kushal Singh Bisht vs. State</i>, whereby the parties were restrained from sale, mortgage, or transfer in any other manner.</p> <p>4. It is contended by the learned Senior Advocate appearing for the petitioner that the appeal in question was filed against the judgment and order dated 20.09.2011 passed by the Consolidation Officer, Kashipur, in Case No. 981, <i>Ravi Nandan Sharma vs. Kala Singh</i>, whereby the application filed under Section 12 of the U.P. Consolidation of Holdings Act was allowed on 28.08.2025. He further contends that the appeal was highly belated by 14 years; therefore, without condoning the delay, no interim order could have been passed by the appellate court. He also</p>

submits that no notice of the appeal was ever served upon the petitioner. The averment to this effect has been made in paragraph 7 of the writ petition.

5. I have gone through the impugned order and the record of the case. This Court is of the view that no interim order could have been passed in an appeal filed after a delay, accompanied by an application for condonation of delay, without first condoning the delay.

6. In such view of the matter, case is made out for interference.

7. Issue notice to the respondent no.3, returnable within six weeks.

8. Steps to be taken a week.

9. List on 10.03.2026.

10. In the meantime, respondents may file counter affidavit.

11. Till the next date of listing, the effect and operation of the impugned order dated 25.09.2025 (annexure-5 to the writ petition) shall remain stayed.

12. Stay application (IA No.1/2025) stands disposed of accordingly.

**(Pankaj Purohit, J.)**

19.12.2025