

Court No. - 6

Case :- WRIT - B No. - 127 of 2021

Petitioner :- Tilak Singh And 9 Others

Respondent :- Deputy Director Of Consolidation And 5 Others

Counsel for Petitioner :- Rituvendra Singh Nagvanshi, Narayan Dutt Shukla, Ramesh Chandra Singh (Senior Adv.), Ramesh Chandra Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Ajay Bhanot, J.

Sri R.C. Singh, learned Senior Counsel assisted by Sri Narayan Dutt Shukla, learned counsel for the petitioners contends that the learned courts below while passing the impugned order overlooked the fact that the claim of co-tenancy is not barred under Section 49 of the U.P. Consolidation of Holdings Act, 1953. He relies on the judgment rendered by this Court in Ram Briksha and another Vs Deputy Director of Consolidation and others, reported at 2017 (6) ADJ 356 (DB).

It is contended that the petitioner is a co-tenure holder in the disputed parcels of land.

Matter needs consideration.

Issue notice to the respondents no. 4, 5 and 6 by registered post AD as well as by regular process returnable within six weeks. Steps be taken within two weeks.

All the respondents to file counter affidavit before the next date of listing.

List after six weeks.

Till the next date of listing the effect and operation of the impugned orders dated 19.11.2020, 12.10.2018 and 26.05.2017 shall remain stayed.

Order Date :- 1.2.2021

Pravin