

Court No. - 49

Case :- WRIT - B No. - 1663 of 2023

Petitioner :- Vishwa Nath Tripathi And Another

Respondent :- Deputy Director Consolidation Kushinagar And 7 Others

Counsel for Petitioner :- Vijay Kumar Mishra

Counsel for Respondent :- C.S.C.,Rituvendra Singh Nagvanshi,Shesh Kumar Srivastava

Hon'ble Dinesh Pathak,J.

1. It is submitted that objection filed on behalf of Janak Dulari under Section 9-A(2) of U.P. Consolidation of Holdings Act, being a daughter of Brahma Dev, has been rejected by all the three consolidation courts. Petitioners are vendees from Shanti Devi who was daughter of Janak Dulari. It is further submitted that all the three consolidation courts have illegally discarded the claim of Janak Dulari sans adverting to the plea raised on her behalf.

2. Matter requires consideration.

3. Respondent nos. 1, 2 and 3 are represented through learned Standing Counsel.

4. Respondent Nos.4/1, 5 and 6 are also being represented through their counsel.

5. As per office report dated 30.01.2024, RPAD sent to respondent no.7, neither the acknowledgement due nor the undelivered cover have been received back. As such, service of notice upon respondent no.7 is deemed to be sufficient.

6. List this matter on 16.09.2024. In the meantime, the parties shall exchange their respective affidavits, if any.

7. Till the next date of listing, the parties are directed to maintain *status quo*, as on today, with respect to the nature and possession over the property in question.

Order Date :- 30.7.2024

Rama Kant