



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - B No. - 1045 of 2026**

Jagdish Singh And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

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Counsel for Petitioner(s) : Sheetla Sahai Srivastava

Counsel for Respondent(s) : Azad Rai, C.S.C., Jaichandra Singh

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**Court No. - 54**

**HON'BLE CHANDRA KUMAR RAI, J.**

1. Heard Sri Sheetla Sahai Srivastava, learned counsel for the petitioners, Sri Jaichandra Singh, learned counsel for respondent no.4, learned standing counsel for the state-respondents and Sri Azad Rai, learned counsel for the respondent-gaon sabha.

2. Counsel for the petitioners submitted that after getting permission from the Settlement Officer of Consolidation, sale deed was executed by the father of respondent no.4 in favour of petitioners' father. He submitted that on the basis of the sale deed dated 16.7.1986, name of the petitioners' father was ordered to be recorded in the proceeding under Section 12 of the U.P. Consolidation of Holdings Act, 1953 on the basis of no objection of the father of respondent no.4 and considering the statement of witness of the sale deed recorded before the Consolidation Officer. He submitted that the Settlement Officer of Consolidation has allowed the appeal, set aside the order of the Consolidation Officer and remanded the matter before the Consolidation Officer to decide the dispute under Section 12 of the U.P. C.H. Act afresh which is abuse of process of law. He submitted that revision filed by the petitioner has been dismissed without considering the case as set up in revision.

3. On the other hand, learned counsel appearing for respondent no.4 submitted that no sale deed was executed by father of respondent no.4 rather some imposter was set up, as such, the Settlement Officer of Consolidation has remanded the matter back before the

Consolidation Officer to decide the dispute regarding the sale deed under Section 12 of the U.P. C.H. Act afresh which requires no interference.

4. Matter requires consideration.

5. Counsel for respondent No.4 shall file counter affidavit within 6 weeks. Petitioner will file rejoinder affidavit within two weeks thereafter.

6. **List on 27.5.2026**, before the appropriate Bench.

7. Until further orders of this Court, parties are directed to maintain status quo with respect to nature and possession of the plot in question.

**March 23, 2026**

C.Prakash

**(Chandra Kumar Rai,J.)**