

Court No. - 50

Case :- WRIT - B No. - 14382 of 2007

Petitioner :- Peer Mohammad And Others

Respondent :- The Dy. Director Of Consolidation Deoria And Others

Counsel for Petitioner :- Himanshu Srivastava,Alok Kumar Singh,Matiur Rehman Khan

Counsel for Respondent :- C.S.C.,Arun Kumar,R.S. Misra

Hon'ble Chandra Kumar Rai,J.

In Re: Civil Misc. Substitution Application No. 120601 of 2012.

1. Heard learned counsel for the petitioners/applicants.
2. The instant substitution application has been filed to substitute the legal heirs of deceased petitioner No. 1.
3. The application is within limitation.
4. The application is allowed.
5. Let the word 'deceased' be mentioned against the name of petitioner no. 1 and the name of his legal heirs as mentioned in the prayer clause be substituted as petitioner Nos. 1/1, 1/2, 1/3 & 1/4.

Order on Stay Extension Application No. 22 of 2024

- 1.Heard learned counsel for the petitioners/applicants.
2. The instant application has been filed with a prayer to extend the stay order dated 22.03.2007 passed by this Court.
3. Learned counsel for the petitioners submitted that the writ petition arises out of proceeding under Section 12 of U.P. Consolidation of Holdings Act. He further submitted that against the orders passed by Settlement Officer as well as the Deputy Director of Consolidation, the instant petition was filed, which was entertained and interim order was granted by this Court till the next date of listing. He next submitted that the matter was listed on certain date but interim order could not be extended. He further submitted that the petitioners are still in possession over the land in question. He also submitted that interim order granted in the writ petition be extended till pendency of the writ petition.
4. Considering the facts and circumstances of the case that the matter arises of proceeding under Section 12 of U.P.C.H. Act and the same is to be adjudicated on merit as such, petitioners are entitled for interim protection till pendency of the writ petition.
5. Until further orders of this Court, the parties are directed to maintain status-quo with respect to the nature and possession of the plot in dispute.

6. The stay extension application is disposed of accordingly.

Order on writ petition

List this petition for final disposal on 11th December, 2024.

Order Date :- 13.11.2024

v.k.updh.