



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 1178 of 2026

Shravan Kumar And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Sikandar Raza

Counsel for Respondent(s) : C.S.C., Satish Kumar Pandey, Uttam Singh

Court No. - 54

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Shailesh Kumar Tripathi, learned counsel holding brief of Mr. Sikandar Raza, learned counsel for the petitioners, Mr. Satish Kumar Pandey, learned counsel for respondent no.3 and Mr. Shailesh Kumar Srivastava, learned Standing Counsel for the State-respondents.

2. Learned counsel for the petitioners submitted that the proceeding under Section 12 of U.P.C.H. Act was decided in proper manner on the basis of evidence adduced by the parties. He further submitted that the title appeal filed by respondent no.3 after about 21 years was dismissed by the Settlement Officer of Consolidation considering the case as setup in appeal. He further submitted that revision filed by respondent no.3 has been allowed setting aside the order passed by the Consolidation Officer as well as Settlement Officer of Consolidation and directed for recording the name of respondent no.3 along with petitioners. He further submitted that the Deputy Director of Consolidation has taken into consideration the certain evidence which was filed for the first time before Deputy Director of Consolidation and allowed the revision without passing proper order for condonation of inordinate delay in filing the appeal against the order of Consolidation Officer.

3. On the other hand, learned counsel for respondent no.3 submitted that the order was passed by the Consolidation Officer in ex-parte manner, as such, delay was caused in filing the appeal under Section 11 (1) of U.P.C.H. Act. He further submitted that the appeal filed by respondent

no.3 was dismissed in arbitrary manner, accordingly, revision was filed and the revisional Court has taken into consideration the various evidence which was filed before Deputy Director of Consolidation in order to demonstrate that respondent no.3 was legally wedded wife of Asha Ram. He further submitted that the Deputy Director of Consolidation has directed for recording the name of respondent no.3 along with petitioners, which is proper exercise of revisional jurisdiction under Section 48 of U.P.C.H. Act.

4. Matter requires consideration.

5. Issue notice to respondent nos.4 & 5 returnable at an early date.

6. Steps be taken within ten days.

7. Respondent nos.3 to 5 shall file counter affidavit within six weeks.

8. Petitioners shall file rejoinder affidavit within two weeks thereafter.

9. List this case in the daily cause list on 12.8.2026.

10. Until further orders of this Court, the effect and operation of the impugned revisional order dated 13.2.2026 passed by respondent no.2/ Deputy Director of Consolidation shall remain stayed.

(Chandra Kumar Rai,J.)

May 12, 2026
Rameez