

Court No. - 50

Case :- WRIT - B No. - 40184 of 2013

Petitioner :- Amar Singh And 11 Others

Respondent :- Consolidation Commissioner And 3 Others

Counsel for Petitioner :- Amit Anand Mishra, Pankaj Kumar Srivastava, R.C. Singh

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai, J.

1. Heard Mr. Ambuj Srivastava, learned counsel, holding brief of Mr. Pankaj Kumar Srivastava, learned counsel for the petitioners and Mr. Pankaj Kumar learned Standing Counsel for the state-respondents.

2. Learned counsel for the petitioners submitted that village in question was notified for the first time under the consolidation operation by way of notification dated 15.05.1989 issued under section 4 of U.P.C.H. Act. He submitted that notification under section 6(1) of U.P.C.H. Act has been issued on 28.02.2013 which has been challenged by way of instant petition. He submitted that this Court has granted interim order staying the impugned notification dated 28.02.2013. He submitted that impugned notification issued under section 6(1) of U.P.C.H. Act should be quashed and consolidation operation should take place in pursuance of the notification issued under section 4 of U.P.C.H. Act.

3. Mr Pankaj Kumar, learned Standing counsel for the state respondents placed the instruction dated 19.05.2025 before the court and submitted that it is not possible to issue fresh notification under section 4 of U.P.C.H. Act. He placed the averments made in the instruction sent by Deputy Director of Consolidation, Saharanpur. He submitted that notification

issued under section 6(1) of of U.P.C.H. Act should be maintained and Writ Petition should be dismissed

4. Mr Pankaj Kumar learned standing counsel is directed to serve copy of the instruction upon learned counsel for the petitioners within two days.

5. Put up this matter on 30.05.2025 for disposal at 2:00 P.M.

Order Date :- 22.5.2025

PS*