



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 2457 of 2025

Riyasat Ali And 8 Others

.....Petitioner(s)

Versus

Deputy Director Of Consolidation District
Moradabad And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Akhil Yadav, Narendra Kumar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 54

HON'BLE CHANDRA KUMAR RAI, J.

1. Supplementary affidavit filed on behalf of the petitioners is taken on record.
2. Heard learned counsel for the petitioners and Sri Shailesh Kumar Srivastava, learned standing counsel for state-respondents.
3. Counsel for the petitioners submitted that petitioners' entry in respect to plot in question, has been expunged by the consolidation authorities in illegal and arbitrary manner. He submitted that the petitioners' vendor was recorded over the plot in question and after execution of the sale deed in favour of the petitioners on 11.6.1998, petitioners were accordingly recorded. He submitted that the lease of the petitioners' vendor has not been cancelled, as such, the petitioners' entry cannot be expunged. He also submitted that proceeding under Section 9-A(2) of the U.P. C.H. Act has been initiated after 44 years, as such, the same cannot be entertained by the consolidation authorities.
4. On the other hand, learned standing counsel submitted that in the order of the Consolidation Officer, it has come that lease of several tenure holders has been cancelled, as such, it cannot be said that the lease of the petitioners' vendor has not been cancelled unless there is specific evidence to this effect.
5. Matter requires consideration.

6. State shall file counter affidavit within 6 weeks. Petitioner will file rejoinder affidavit within two weeks thereafter.

7. **Connect with Writ B No.2455 of 2025 and list the matters on 7.7.2026**, before the appropriate Bench.

8. The prayer for interim relief shall be considered after exchange of affidavit between the parties.

(Chandra Kumar Rai,J.)

April 28, 2026

C.Prakash