



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 3689 of 2025

Jagdish Prasad And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 9 Others

.....Respondent(s)

Counsel for Petitioner(s) : Chandra Prakash Garg
Counsel for Respondent(s) : Ram Singh, C.S.C., Sheo Kinkar Singh,
Suryaprakash Sharma

Court No. - 54

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Chandra Prakash Garg, learned counsel for the petitioners, Mr. V.K. Singh, learned Senior Counsel assisted by Mr. Ram Singh, learned counsel for respondent nos.7 & 9 and Mr. Ashutosh Kumar Rai, learned Additional Chief Standing Counsel for the State-respondents.

2. Learned counsel for the petitioners submitted that the petitioners along with others were ordered to be recorded vide order dated 5.12.1977 in place of recorded tenure holder Maiki wife of Bulerwa. He further submitted that the village in question was notified under Section 6 (1) of U.P.C.H. Act on 7.6.2016, as such, petitioners are entitled to be recorded over the plot in question in view of the provisions contained under Section 6 (2) of U.P.C.H. Act. He further submitted that highly time barred appeal filed by private respondent has been dismissed as abated. He further submitted that the Consolidation Officer has passed the impugned order dated 16.4.2025 in illegal and arbitrary manner.

3. On the other hand, Mr. V.K. Singh, learned Senior Counsel for respondent nos.7 & 9 submitted that there is no illegality in the order dated 16.4.2025 as entire proceeding has been abated by the Settlement Officer of Consolidation, as such, basic year entry will be given effect in the records.

4. Matter requires consideration as to whether basic year entry will be given effect in the record or final order passed during consolidation operation will be given effect in the record in view of notification issued

under section 6 of U.P.C.H. Act.

5. Issue notice to respondent nos.8/1, 8/2 & 10/1 returnable at an early date.
6. Steps be taken within ten days.
7. Respondent nos.7 to 10/1 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 16.7.2026.
10. Until further orders of this Court, the effect and operation of the impugned order dated 16.4.2025 passed by respondent no.4/ Consolidation Officer Naraini, Banda shall remain stayed.

(Chandra Kumar Rai,J.)

April 15, 2026

Rameez