



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**WRIT - B No. - 5244 of 2025**

Mujeebullah

.....Petitioner(s)

Versus

The State Of U.P. And 7 Others

.....Respondent(s)

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Counsel for Petitioner(s) : Adya Prasad Tewari  
Counsel for Respondent(s) : C.S.C., Sudhir Bharti

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**Court No. - 54**

**HON'BLE CHANDRA KUMAR RAI, J.**

1. Heard Mr. Adya Prasad Tewari, learned counsel for the petitioner, Mr. Ashutosh Kumar Rai, learned Additional Chief Standing Counsel for the State-respondents and Mr. Sudhir Bharti, learned counsel for the respondent- Gaon Sabha.

2. Learned counsel for the petitioner submitted that the appeal under Section 11 (1) of U.P.C.H. Act filed along with prayer for condonation of delay has been allowed setting aside the order passed on the basis of compromise as well as remitting the matter back before Consolidation Officer to decide the dispute on merit in accordance with law. He further submitted that against the order passed in appeal two restoration applications were filed by one Jaleel and another by Inamullah. He further submitted that both the restoration applications were heard together and rejected by the Settlement Officer of Consolidation. He further submitted that against the order rejecting the restoration application two revisions were filed before Deputy Director of Consolidation which are still pending but no revision was filed by Jaleel or legal heirs of Jaleel. He further submitted that widow of Jaleel filed another restoration application before Settlement Officer of Consolidation, which has been allowed in illegal and arbitrary manner by Settlement Officer of Consolidation setting aside the earlier appellate order and restoring the appeal on their original number.

3. Matter requires consideration as to whether after rejection of the earlier restoration application filed by Jaleel another restoration application filed

by widow of Jaleel can be entertained and allowed by Settlement Officer of Consolidation.

4. Issue notice to respondent nos.3 to 7 returnable at an early date.

5. Steps be taken within ten days.

6. All the respondents including State and Gaon Sabha shall file counter affidavit within ten days.

7. Petitioner shall file rejoinder affidavit within two weeks thereafter.

8. List this case in the daily cause list on 27.5.2026.

9. Until further orders of this Court, the effect and operation of the order dated 20.11.2025 passed by Settlement Officer of Consolidation shall remain stayed.

**(Chandra Kumar Rai,J.)**

**March 23, 2026**

Rameez