



2026:AHC:7447

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 3397 of 2025

Vinod And 9 Others

.....Petitioner(s)

Versus

State Of U.P. And 8 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Puneet Kumar Verma
Counsel for Respondent(s)	:	Ashutosh Kumar Singh, C.S.C.

Court No. - 54

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the petitioners, learned counsel for the caveator/respondent no.7 and learned Standing Counsel for State-respondent nos. 1 and 2.
2. The petitioners are aggrieved by the order dated 16.12.2024 passed by Deputy Director of Consolidation, whereby the revision filed on behalf of contesting respondents was allowed and the said order was subsequently affirmed in the review application filed on behalf of the petitioners by order dated 30.05.2025.
3. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the record, it is manifest that the Settlement Officer of Consolidation dismissed the appeal filed on behalf of present petitioners vide order dated 06.01.1998. Being aggrieved, the petitioners filed a restoration application. The Settlement Officer of Consolidation has allowed the restoration application, vide order dated 28.11.1998, and remitted the matter before the Consolidation Officer to decide it afresh. Being aggrieved by the order dated 28.11.1998, the contesting respondents filed revision. The Deputy Director of Consolidation, vide order dated 16.12.2024, allowed the revision and set aside the order dated 28.11.1998. Having been aggrieved, the present petitioners preferred review petition against order dated 16.12.2024. The Deputy Director of Consolidation has dismissed the review application vide its order dated 30.05.2025; thus, petitioners have filed the instant writ petition assailing the orders dated 16.12.2024 and 30.05.2025.

4. Perusal of order dated 28.11.1998 reveals that the appeal was allowed and the matter was remanded before the Consolidation Officer to decide it afresh. The Deputy Director of Consolidation has treated the recall application, filed by the petitioners against the order dated 06.01.1998, as review application; accordingly, allowed the revision and quashed the order dated 28.11.1998.

5. Learned counsel for the contesting respondents has pointed out that present petitioners have already preferred revision against order dated 06.01.1998. Therefore, instant writ petition filed on their behalf, subsequently challenging the order dated 06.01.1998 is not maintainable in the eye of law.

6. After due deliberation at length, learned counsel for the petitioners has prayed to dismissed instant writ petition as withdrawn.

7. Resultantly, the instant writ petition is dismissed as withdrawn. However, it is made clear that the revision already preferred on behalf of the present petitioners against order dated 06.01.1998, along with the delay condonation application, shall be decided on its own merits, without being influenced by any finding recorded by the Deputy Director of Consolidation in the orders dated 16.12.2024 and 30.05.2025.

January 12, 2026
MN/-

(Dinesh Pathak,J.)