



2026:AHC:3407

## HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 4426 of 2025

Bhagwan And Another

.....Petitioner(s)

Versus

Deputy Director Of Consolidation And 5 Others

.....Respondent(s)

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|---------------------------|---|-------------------------------------------|
| Counsel for Petitioner(s) | : | Amal Darsingh, Geetanjali, Jitendra Singh |
| Counsel for Respondent(s) | : | C.S.C.                                    |

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**Court No. - 54**

**HON'BLE DINESH PATHAK, J.**

1. Heard learned counsel for petitioner and learned Standing Counsel for the State-respondent.

2. Petitioners have invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, assailing the order dated 19.10.2024, passed by the Deputy Director of Consolidation in Revision No. 0391 of 2024, affirming the order dated 08.04.2024 passed by the Settlement Officer of Consolidation in Appeal No. 0234 of 2024, reversing the order dated 13.03.2023 passed by the Consolidation Officer, under Section 21 (1) of the U.P. Consolidation of Holdings Act (in brevity U.P.C.H. Act), whereby the chak of the present petitioner have been modified.

3. The instant writ petition has arisen out of the chak allotment proceeding. During the provisional consolidation scheme, the predecessor in interest of the petitioner has been proposed Chak No. 128 at 3 places. First chak over the plot no. 525, Second Chak over the plot nos. 478, 489 and Third Chak over the Plot No. 508. Likewise, contesting opposite party no. 4 has been proposed Chak No. 735. Having been aggrieved by the allotment of chak, Opposite Party No. 4 has filed an objection under Section 21(1) of U.P.C.H. Act, registered as Case No. 177 (Vishwanath Vs. State). The Consolidation Officer dismissed the aforesaid objection, vide order dated 13.03.2023. Being aggrieved, the contesting respondent has preferred appeal. The Settlement Officer of Consolidation has allowed the appeal, vide order dated 08.04.2024, whereby the third chak allotted to the petitioner over the Plot No. 508 has been taken out and in lieu thereof equal area has been allotted to him over the Plot No. 489/2. The revision preferred by the

petitioner against the order passed by the Settlement Officer of Consolidation has been dismissed, vide order dated 19.10.2024, affirming the said order, which is under challenge before this Court.

4. Having considered the submissions advanced by the learned counsel for the petitioners as well as learned Standing Counsel and upon perusal of the record, it is manifest that the Third chak allotted to the present petitioner over Plot No. 508/2 has been shifted over the Plot No. 489/2 and said plot no. 508/2 has been allotted to the chak of the contesting respondent no. 4. While allowing the appeal, the Settlement Officer of Consolidation observed that the petitioners have been allotted third chak over the Plot No. 508/2 area measuring 0.016 hectare, which is a very small holding. Therefore, it would be justifiable to shift the petitioner's third chak to his second chak, which has been carved over the Plot Nos. 478 and 489/2. In this view of the matter, the Settlement Officer of Consolidation has tried to consolidate the plots of the present petitioners. Accordingly, valuation of Plot No. 508/2 measuring area 0.016 hectare has been shifted over the Plot No. 489/2 and chak of the petitioner has been proposed at two place in place of three. The Deputy Director of Consolidation has rightly affirmed the order passed by the Settlement Officer of Consolidation, having considered the unnecessary carving of the third chak in favour of the petitioners. There is no illegality, perversity or irregularity in the order passed by the Settlement Officer of Consolidation as well as by the Deputy Director of Consolidation. There is nothing on the record to demonstrate as to how the present petitioners are prejudiced, or if there is likelihood of causing any miscarriage of justice to them, owing to the orders impugned.

7. Resultantly, instant writ petition, being misconceived and devoid of merits, is dismissed with no order as to the costs.

**January 7, 2026**

Neetu

**(Dinesh Pathak,J.)**