



2026:AHC:1294

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 4591 of 2025

Smt. Ram Kali

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mukesh Chandra Gupta, Shubham Prakash Gupta
Counsel for Respondent(s)	:	C.S.C.

Court No. - 54

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the petitioner and the learned Standing Counsel for the respondents no.1 to 4.

2. The petitioner has invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India assailing the order dated 28.08.2025 passed by the Additional District Magistrate (Judicial)/Deputy Director of Consolidation, Agra (in brevity 'D.D.C.') in Revision No.0037 of 2025 affirming the order dated 11.11.2024 passed by the Settlement Officer of Consolidation (in brevity 'S.O.C.'), whereby delay condonation application under Section 5 of the Limitation Act has been allowed.

3. Perusal of order dated 11.11.2024 passed by the S.O.C. reveals that Appeal No.73 has been preferred by Dinesh Kumar (respondent no.5) against the order dated 05.11.2019 passed under Section 6-A of the U.P. Consolidation of Holdings Act (in brevity 'U.P.C.H. Act') at belated stage on 02.02.2024. Another Appeal No.74 has been preferred by respondent no.5, as well, at belated stage on 14.12.2023 against the order dated 27.07.2023 in Case No.103 under Section 12 of the U.P.C.H. Act. The S.O.C., vide order dated 11.11.2024, has allowed the delay condonation application under Section 5 of the Limitation Act and fixed date for hearing on merits of the appeal. Having been aggrieved with the order dated 11.11.2024, Ram Kali (petitioner herein) has preferred revision. The D.D.C. has dismissed the revision affirming the order passed by the S.O.C.

4. Having considered the submissions advanced by learned counsel for the petitioner as well as the learned Standing Counsel and upon perusal of the

record, it is manifest that the S.O.C. has allowed the delay condonation application in positive exercise of its jurisdiction and treated the appeal preferred on behalf of the respondent no.5 to be filed within the prescribed period of limitation. Both the parties are at loggerheads qua property in question which basically belongs to Ramnath. Respondent no.5 is claiming himself as son of Ramnath and the present petitioner is the vendee from Pushpa Devi who was wife of pre-deceased son of Ramnath, namely, Rajveer Singh. Consolidation Officer has decided the matter under Section 6-A of U.P.C.H. Act considering it undisputed succession. The S.O.C., after hearing both the parties, rightly came to conclusion that opportunity must be given to the parties to defend their case. The D.D.C. in exercise of his supervisory jurisdiction under Section 48 of the U.P.C.H. Act has not found any illegality or perversity in the order passed by the S.O.C. There is no illegality, perversity or infirmity in the order passed by the S.O.C. and the D.D.C. Nothing has been demonstrated from the record as to how the petitioner is prejudiced, or if there is any likelihood of causing miscarriage of justice to him, owing to the orders passed by the appellate court as well as the revisional court.

5. Resultantly, instant writ petition, being misconceived and devoid on merits, is **dismissed** with no order as to costs.

6. Before parting with the matter, learned counsel for the petitioner has orally prays for direction to the S.O.C. to decide the appeal within stipulated period.

7. Learned Standing Counsel has no objection, if a direction is issued to the S.O.C. to decide the appeal, expeditiously.

8. In this view of the matter, learned S.O.C., Agra, before whom the appeals filed on behalf of respondent no.5 is pending consideration, shall make endeavour to decide the aforementioned appeals, expeditiously, preferably within a period of six months from the date of production of certified copy of this order.

January 6, 2026

VR

(Dinesh Pathak,J.)