



2026:AHC:1874

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 4827 of 2025

Surinder Singh @ Nathuram

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Raghuraj Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 54

HON'BLE DINESH PATHAK, J.

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

2. The instant writ petition has been filed, inter alia seeking the following reliefs:-

(i) to issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 01.08.2025 passed by Respondent No. 2/Additional District Magistrate (Judicial)/Deputy Director of Consolidation, District Auraiya in Revision/Case No. 0874 of 2023 (Surinder Singh @ Nathuram Vs. Sunita Devi and Others) U/s 48(1) of the U.P. Consolidation of Holdings Act, 1953 and Order dated 04.08.2023 Respondent No. 3/Sub Divisional Magistrate (Judicial)/Settlement Officer of Consolidation, District-Auraiya in Appeal No. 72 of 2022 (Surinder Singh @ Nathuram Vs. Sunita Devi and Others) U/s 11(1) of the U.P. Consolidation of Holdings Act and Order dated 02.05.2022 passed by the respondent no. 4/Consolidation Officer Kakor, Auraiya in Case No. 51 of 2021 U/s 9A(2) of the U.P. Consolidation of Holdings Act.

ii) issue any other writ, order or direction which this High Court may deem fit and proper in the facts and circumstances of the case.

iii) Award the cost of the petition in favour of the petitioner."

3. The instant writ petition has arisen out of the proceedings under Section 9A(2) of the U.P.C.H. Act. The Consolidation Officer, vide order dated 11.01.2021, has allowed the application under Section 9A(2) of the U.P.C.H. Act on the basis of uncontested succession, whereby names of both sons of deceased Shiv Prasad was ordered to be recorded in the revenue record. At a

subsequent stage, a recall application has been filed against the order dated 11.01.2021. The Consolidation Officer has allowed the recall application and restored the original proceedings vide its order dated 02.05.2022. Appeal preferred against the restoration order was dismissed by the Settlement Officer of Consolidation vide order dated 04.08.2023, and same has been affirmed by the Deputy Director of Consolidation, on revision being filed on behalf of the present petitioner.

4. Nothing has been decided finally with respect to the right and title of the parties over the property in question. The Consolidation Officer has merely allowed the restoration application and restored the original proceeding under Section 9A(2) of the U.P.C.H. Act to its original number. The appellate Court and the revisional Court have returned categorical finding that both the parties have an opportunity to adduce the evidence in support of their case and contest the proceedings before the Consolidation Officer.

5. In view of the above, there is no illegality, perversity, irregularity or infirmity in the orders passed by the appellate Court as well as the revisional Court. There is nothing on the record to demonstrate as to how the petitioner is prejudiced, or if there is likelihood of causing any miscarriage of justice to him, owing to orders under challenge.

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

7. Before parting with the matter, learned counsel for the petitioner has urged for interim protection during pendency of the proceedings under Section 9A(2) of the U.P.C.H. Act before the Consolidation Officer. However, it is made clear that the present petitioner is at liberty to move an appropriate application for interim relief before the Consolidation Officer, who would consider and decide the said application for the interim relief, in accordance with law, after hearing the parties concerned, expeditiously.

January 6, 2026

Neetu

(Dinesh Pathak,J.)