



2026:AHC:4444

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 5009 of 2025

Azahar Miyan And 4 Others

.....Petitioner(s)

Versus

Deputy Director Of Consolidation And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Aktar Ahmed Siddiqui
Counsel for Respondent(s)	:	Arun Kumar Pandey, C.S.C.

Court No. - 54

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the petitioners, learned Standing Counsel for the State respondents.
2. The petitioners have 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 Deputy Director of Consolidation (in brevity 'DDC') in Revision no.0156 of 2025, affirming the order dated 24.04.2025 passed by the Settlement Officer of Consolidation (in brevity 'SOC'), whereby the restoration application moved by the present petitioners was dismissed, and order dated 30.03.2011 passed by SOC in appeal No. 339/10-11 arising out of order dated 20.07.2010 passed by Consolidation Officer in case No. 244/230/08.
3. Instant writ petition arises out of proceedings under Section 9-A(2) of the U.P. Consolidation of Holdings Act, 1953 (in brevity 'UPCH Act'), filed on behalf of the predecessor-in-interest of the petitioners seeking enhancement of the exchange value of Plot No. 455/2. The Consolidation Officer, vide order dated 20.07.2010, dismissed the application and refused to enhance the exchange value of the plot in question. Being aggrieved, an appeal was preferred. The SOC, vide order dated 30.03.2011, based on the report dated 05.05.2010, submitted by the Consolidator, fixed the exchange value of Plot No. 455/2, area measuring 0.520 hectare at 20 paisa. At a highly belated stage, the petitioners filed a restoration application dated 27.11.2024, seeking quashing of the order dated 30.03.2011 and further seeking

enhancement of the exchange value of Plot Nos. 455/2, area 0.520 hectare, from 20 paise to 50 paise. The SOC, vide order dated 24.04.2025, dismissed the restoration application on the ground that the earlier order dated 30.03.2011 was passed on merits and the village had already been denotified under Section 52(1) of UPCH Act. The DDC, upon a revision being filed on behalf of the petitioners, dismissed the same, vide order dated 28.08.2025, which is under challenge before this Court.

4. Having considered the submissions advanced by learned counsel for the petitioners as well as learned Standing Counsel for the State respondents, and upon perusal of record, it is manifest that the exchange value of Plot No. 455/2, area 0.520 hectare, was fixed by the SOC at 20 paise, based on the report dated 05.05.2010 submitted by the Consolidator. It has been unequivocally observed by the SOC as well as the DDC that the exchange value of plots situated in the vicinity to the Plot No. 455/2, area 0.520 hectare, had been fixed at 20 paise; accordingly, the exchange value of Plot No. 455/2 has been fixed as well. The SOC as well as the DDC have also emphasized on the denotification of the village under Section 52(1) of UPCH Act. No plausible and valid explanation has been offered by the petitioners for filing the restoration application at a belated stage on 27.11.2024 against the order dated 30.03.2011. In the intervening period, the village stood denotified under Section 52 of the UPCH Act, and much water has flowed under the bridge, settling all chak holders over their respective chaks on the basis of the final consolidation records.

5. There is no justification to disturb the final consolidation records on the whims of the present petitioners, who remained silent for a long period. Even otherwise, there is nothing on the record to justify the enhancement of the exchange value of Plot No. 455/2, area 0.520 hectare, from 20 paise to 50 paise, whereas the exchange value of the surrounding area was fixed at 20 paise. The DDC has unequivocally observed that the exchange value of the Plot No. 455/2 has been fixed based on the quality of the soil.

6. In this conspectus, as above, there is no justification to entertain the instant writ petition and interfere with the orders passed by the

SOC as well as the DDC. There is no illegality, perversity or infirmity in the order under challenge. Nothing has been placed on the record to demonstrate as to how the present petitioners are prejudiced, nor is there any likelihood of causing a miscarriage of justice to them, owing to the orders under challenge.

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

January 8, 2026

vkg

(Dinesh Pathak,J.)