



2026:AHC-LKO:20043

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - B No. - 226 of 2026

Amit Gupta

.....Petitioner(s)

Versus

Deputy Director Of Consolidation, Hardoi And
Others

.....Respondent(s)

Counsel for Petitioner(s)	: Prashant Pandey, Virendra Prakash Pandey
Counsel for Respondent(s)	: C.S.C., Arvind Kumar Verma, Dilip Kumar Pandey

Court No. - 5

HON'BLE ALOK MATHUR, J.

1. Heard Shri Prashant Pandey, learned counsel for the petitioner, learned Standing Counsel for respondents no.1 to 3, Shri Dilip Kumar Pandey, learned counsel for respondent no. 7 and Shri Sanjay Kumar Srivstava has filed power on behalf of respondents no. 4, 5 and 6, which is taken on record.

2. It has been submitted by counsel for the petitioner that the petitioner had purchased the Gata No. 1005, situated at Village Lodhi, Tehsil Sandila, District Hardoi. It has further been stated the during the consolidation proceedings, there was some dispute with regard to the allotment of chaks and also with regard to the location of the chak, which was allotted in favour of the petitioner and the private respondents. In this regard the petitioner had preferred an appeal before the Settlement Officer, Consolidation, which was decided on 6.12.2007, in his favour. Against the order dated 6.12.2007, the private respondents had preferred a revision, before the Deputy Director of Consolidation stating that the appellate authority has allowed the appeal without giving any opportunity of hearing and accordingly has assailed the validity of the order dated 6.12.2007. The Deputy Director of Consolidation, by means of order dated 29.05.2015 returned the finding in favour of private respondents that from the perusal of the record, it was abundantly clear that no opportunity of hearing was given to the private respondents and

accordingly, has set aside the order dated 6.12.2007.

3. It has been submitted that instead of remanding the matter back for deciding afresh before the Settlement Officer, Consolidation, he proceeded to pass the order on merits and redistributed the allotment of chaks, in favour of private respondents and an application for recall was preferred by the petitioner, which has also been rejected, by means of order dated 21.11.2025 and accordingly, the order dated 21.11.2025 as well as 29.05.2015 have been assailed in the present writ petition.

4. This Court after hearing the rival contentions of the parties and perused the record, it is evident that the order dated 6.12.2007 was passed by the Settlement Officer, Consolidation without giving proper opportunity of hearing to the private respondents and this aspect of the matter has not been contested by the petitioner.

5. The grievance of the petitioner is that once, it was found that the order has been passed in gross violation of principle of natural justice then the natural corollary would have been to remand the matter back for consideration afresh to be decided after giving full opportunity of hearing to the opposite parties. The Deputy Director of Consolidation has therefore wrongly proceeded to decide the matter on merits in such. At this stage, counsels for both the parties have submitted that the order impugned, in the present writ petition may be set aside and the matter may be remanded to the Settlement Officer, Consolidation for the decision afresh, who may pass the orders after giving opportunity of hearing to all the parties concerned.

6. Accordingly in the aforesaid circumstances, the writ petition is ***allowed.***

7. The order dated 27.11.2025 is set aside in its entirety, vide order dated 29.5.2015 is set aside only to the extent that it has freshly passed order on merits distributing of chaks and the order to the extent that it has set aside the order dated 6.12.2007 is maintained.

8. After consent of the parties, it has further been provided that the status-quo during the pendency of the appeal and the parties shall not alienate

the property, the Settlement Officer, Consolidation shall consider and decide the appeal expeditiously, say within a period of six months from the date a certified copy of this order is produced before him, in accordance with law.

9. The parties have undertaken to cooperate in the proceedings before the Settlement Officer, Consolidation and shall not take any unnecessary adjournments.

(Alok Mathur,J.)

March 19, 2026

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