



2026:AHC:48102

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 552 of 2026

Rajesh Chauhan

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

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

Court No. - 54

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the parties.

2. Instant writ petition has been filed, inter alia, seeking the following relief:-

"Issue a writ or direction in the nature of a mandamus direction to the respondents Comply the order dated 24/10/2024 passed by Settlement Officer Consolidation, by which is in light of the order passed by the Consolidation Officer regarding the implementation of the order dated 5.1.2023 concerning plot number 392/1/-040 hectare."

3. After due deliberation at length, learned counsel for the petitioner has made an oral prayer for issuance of a writ of mandamus directing the Settlement Officer of Consolidation (in brevity 'SOC') to decide an Appeal No. 202354143600003448 of 2023 expeditiously.

4. Facts culled out from the record are that respondent nos. 4 and 5 had initiated chak allotment proceedings; however, the same were dismissed. At a subsequent stage, they moved an application under Section 9-B of the U.P. Consolidation of Holdings Act, 1953 (in brevity 'UPCH Act') praying that Plot No. 392/1, area 0.040 hectare, be kept outside the consolidation operations being it an *abadi*. The Consolidation Officer, vide order dated 08.07.2016, allowed the objection under Section 9-B of the UPCH Act and consequently kept Plot No. 392/1, area 0.040 hectare out of the consolidation operations. Having been aggrieved, the present petitioner filed a restoration application. The Consolidation Officer, vide order dated 17.06.2017, allowed the restoration application and quashed the order dated 08.07.2016, consequently restored the proceedings under Section 9-B of the UPCH Act. Being aggrieved, respondent nos. 4 and 5 filed a restoration application

against the order dated 17.06.2017. The Consolidation Officer, vide order dated 05.01.2023, dismissed the restoration application and affirmed the order dated 17.06.2017. Being aggrieved, the contesting respondents have filed an appeal under Section 11(1) of the U.P. Consolidation of Holdings Act before the SOC, Jaunpur, being Appeal No.202354143600003448 of 2023. During the pendency of the appeal, the petitioner moved a miscellaneous application before the SOC seeking a direction for implementation of the order dated 05.01.2023 in the consolidation records. The SOC has jotted in the margin of the aforesaid application, vide its noting dated 14.10.2024, directing the Consolidation Officer to implement the order dated 05.01.2023. Needless to say that all relevant changes during consolidation operations, after the promulgation of the provisional consolidation scheme, are carried out in CH Form-23.

5. Thus, in my opinion, issuing a direction to the SOC for expeditious disposal of the appeal would suffice to serve the grievance of the present petitioner.

6. Learned standing counsel has no objection for issuing a direction for expeditious disposal of the appeal within stipulated period as may be directed by this Court.

7. In this conspectus as above, no useful purpose would be served by keeping this matter pending. Therefore, this Court deems it appropriate to finally dispose of the present writ petition, without making any observation on the merits of the case, as raised in the writ petition, with a direction to Respondent no.2 to decide the aforesaid case strictly in accordance with law, by means of a reasoned and speaking order, after affording opportunity of hearing to the parties concerned and without granting any unnecessary adjournments to either of the parties expeditiously, preferably, within a period of **six months** from the date of production of a certified copy of this order.

8. With the aforesaid direction, this petition is finally **disposed of**.

March 10, 2026

vkg

(Dinesh Pathak,J.)