

Triveni Prasad vs Deputy Director Of Consolidation, ... on 1 April, 2025

Author: Saurabh Lavania

Bench: Saurabh Lavania

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2025:AHC-LK0:18012

Court No. - 7

Case :- WRIT - B No. - 136 of 2025

Petitioner :- Triveni Prasad

Respondent :- Deputy Director Of Consolidation, Shrawasti And Others

Counsel for Petitioner :- Krishna Kumar Shukla,Kaviya Singh

Counsel for Respondent :- C.S.C.,Rakesh Kumar Srivastava,Ram Prasad Dwivedi

Hon'ble Saurabh Lavania,J.

Supplementary affidavit and short counter affidavit filed in the Court today are taken on record.

Heard learned counsel for the petitioner, Sri Hemant Kumar Pandey, learned State counsel appearing for the respondent Nos. 1 & 2 and Sri Rakesh Kumar Srivastava, Advocate alongwith Sri Ram Prasad Dwivedi, Advocate, learned counsel appearing for the respondent No. 3.

By means of this petition, the petitioner has sought the following main relief(s):-

B. Issue a writ, order or direction in the nature of mandamus to direct order dated:-29-07-2024 passed by Deputy Director Of Consolidation, District Shrawasti in Revision No:- 0390/2023 Computerized case no. 202354086200000390 Sri Vipul Tandon Versus Triveni Prasad & other herein after referred as Opp. Party No:-1 to decide the matter in accordance with law."

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In order to decide the issue involved in the instant case, this Court finds it appropriate to take note of three orders passed by DDC i.e. the orders dated 18.12.2023, 01.04.2024 and 25.07.2024.

The order dated 18.12.2023 reads as under:-

"18-12-2023 ?????????? ?????????? ?????? ?????? ??? ?????????????????? ?????? ?????? ?????????? ???
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28-12-2023 ?? ??? ???"

The order dated 01.04.2024 reads as under:-

"01-04-24 ?????????? ?????????? ? ?????? ?????? ??? ??? ?????? ?????? ?????? ?????????? ??????
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The order dated 25.07.2024 reads as under:-

"25-07-2024 ?????????? ?????????? ??? ?????? ?? ?????????? ?????????? ?? ?????????? ?? ??????????
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From the above quoted orders, it is apparent that the revision in issue was not admitted and on 01.04.2024, the parties were not heard and thereafter on 25.07.2024, the parties were heard on the issue of maintainability of revision.

In view of the aforesaid, this Court finds that the observations made by the DDC in the impugned order dated 16.01.2025 that the revision was admitted is completely perverse. Accordingly, the order impugned dated 16.01.2025 is hereby set-aside. The matter is remanded back to DDC for hearing the parties concerned on the issue of maintainability of revision and passing a reasoned and speaking order afresh in the matter.

The instant petition is allowed in above terms.

Order Date :- 1.4.2025 Arun/-