

Manazir Hussain vs Deputy Director, Consolidation, U.P. ... on 25 February, 1981

Equivalent citations: AIR1981SC1709, (1981)2SCC713, AIR 1981 SUPREME COURT 1709, 1981 (2) SCC 713

Bench: Baharul Islam, P.N. Bhagwati

JUDGMENT

1. Special leave granted.

2. It appears from the order of the Dy. Director (Consolidation) that he has not considered the question in regard to khata Nos. 135 and 356 on merits and he has set aside the order of the Assistant Settlement Officer (Consolidation) without proper consideration of the matter. We would, therefore, set aside the order passed by the High Court as also the order of the Dy. Director (Consolidation) in so far as these orders relate to khata Nos. 135 and 356 and remand the case to the Dy. Director (Consolidation) so that he may consider the revision application of respondents Nos. 4 to 11 in regard to khata Nos. 135 and 356 and dispose it of on merits after considering the oral and documentary evidence in regard to these two khata. Since the case is an old one we direct the Dy. Director (Consolidation) to dispose of the case as early as possible and in any event not later than the expiration of two months from today.

3. The parties will appear before the Dy. Director (Consolidation) at 11 a.m. on 9th March, 1981 for further directions in regard to the hearing of the case.

4. Status quo as on today will be maintained until disposal of the case by the Dy. Director (Consolidation).

5. There will be no order as to costs.