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(2009) 05 AHC CK 0111

Allahabad High Court

Case No: None

Ram Chander APPELLANT

Vs

Deputy Director of Consolidation

RESPONDENT

Date of Decision: May 26, 2009 Hon'ble Judges: Rajiv Sharma, J

Final Decision: Disposed Of

Judgement

Rajiv Sharma, J.

None responds for the petitioner. However, Smt. Nafeesa Beguam, who has filed an application for impleadment through Mr.Mohan Singh is present. Mr. Mohan Singh has also filed counteraffidavit on behalf of the opposite party No.3.

Though the impleadment application has not been allowed till date, Mr. Mohan Singh, learned counsel appearing for the opposite party No.3 submits that in the consolidation proceedings, the name of the petitioner has been entered into the revenue records on the basis of the compromise and the Consolidation Officer has decided the matter on the basis of the compromise, which is alleged to be forged one and as such, an appeal has been filed and the appellate authority came to the conclusion that the compromise was not genuine and as such, the matter has been remanded to the Consolidation Officer for deciding the matter afresh. The said order of the appellate authority was assailed by the petitioner before the Deputy Director of Consolidation. While dismissing the revision, the revisional authority has recorded a finding that no interference was required and as such, the order passed by the Settlement Officer (Consolidation) was confirmed. Being aggrieved, the instant writ petition has been filed.

I do not find any illegality or infirmity in the order passed either by the appellate authority or by the revisional authority. No interference is required under Article 226 of the Constitution of India.

Accordingly, the writ petition is dismissed. However, the Consolidation Officer is directed to decide the case, latest by 30.9.2009, as the matter is pending since long before the Consolidation Officer. All the pending miscellaneous applications stand disposed of.