
(2011) 11 AHC CK 0007

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 68632 of 2011

Haider Ali

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 30-11-2011

Acts Referred:

Uttar Pradesh Consolidation of Holdings Act, 1953 — Section 11

Citation : (2012) 1 ADJ 522 : (2012) 3 AWC 3084

Hon'ble Judges : A.P. Sahi, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

Hon"ble A.P. Sahi, J.—Heard learned counsel for the petitioner.

2. An appeal u/s 11 of the U.P. Consolidation of Holdings Act, 1953 was pending in relation to the holding in dispute in the District of Gorakhpur. The holding is also situate within the District of Gorakhpur. The appeal was transferred for decision to the appellate authority in another District, namely, District of Maharajganj. The appeal has been decided and has gone adverse to the petitioner. The petitioner has now filed a revision before the Deputy Director of Consolidation, Maharajganj. The prayer made in this petition is that a mandamus be issued to transfer the said revision to the Deputy Director of Consolidation Gorakhpur.

3. Having heard learned counsel for the petitioner and having perused the judgment of this Court in the case of Parshuram v. Deputy Director of Consolidation, Ballia and others, 2006(4) ADJ 322, the law is now settled that a revision would lie before the Deputy Director of Consolidation of the district where the appeal had been originally filed and not before the Deputy Director of Consolidation of the transferee district.

4. Accordingly, the petitioner ought to have filed his revision before the Deputy Director of Consolidation, Gorakhpur which has not been done and the revision

has been wrongly preferred before the Deputy Director of Consolidation, Maharajganj. In such a situation, the writ petition is consigned to records with liberty to the petitioner to approach the Deputy Director of Consolidation, Gorakhpur.