

(2010) 10 AHC CK 0245
In the Allahabad High Court
Case No : Writ-B No. 63230 of 2010

Indrawati and others

APPELLANT

Vs

District Magistrate/D.D.C.Sonbhadra and others

RESPONDENT

Date of Decision : 21-10-2010

Acts Referred:

Uttar Pradesh Consolidation of Holdings Act, 1953 — Section 48
Uttar Pradesh Land Revenue Act, 1901 — Section 15

Citation : (2010) 10 AHC CK 0245

Hon'ble Judges : Vikram Nath, J

Final Decision : Allowed

Judgement

Vikram Nath, J.—Connect with Writ Petition No. 48712 of 2010.

2. Heard the learned Counsel for the petitioner.

3. The learned Standing Counsel representing the respondent Nos. 1 to 4 and Sri Anuj Kumar, Advocate representing the respondent No. 5 may file counter affidavit within a month.

4. One of the arguments advanced on behalf of the petitioner is that the Revisional Court has discarded the order dated 1.8.1953, passed by the Nayab Tehsildar on the ground that he had no jurisdiction to pass such an order whereas in fact under law the Nayab Tehsildar was fully competent to pass the said order for recording the name of the tenure holders under section 15 of the U.P. Land Revenue Act, 1901 as by way of notification made on 6.6.1953 such power vested with the Tehsildar.

5. Admit.

6. Issue notice to the respondent No. 6. Steps may be taken within a week.

7. Till further orders of this Court the effect and operation of the impugned order dated 14.7.2010, passed by the Deputy Director of Consolidation, Sonbhadra (Respondent No. 1) as also the order dated 20.1.2004, passed by the Assistant

Settlement Officer (Consolidation), Sonbhadra (Respondent No. 2) shall remain stayed.