

(2025) 12 UK CK 1328

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2945 Of 2023

Kamlesh

APPELLANT

Vs

Mangesh Kumar And Another

RESPONDENT

Date of Decision : 29-12-2025

Acts Referred:

Uttar Pradesh Consolidation Of Land Holdings Act, 1953 — Section 11(1)

Citation : (2025) 12 UK CK 1328

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Ankit Bisht, M.S. Tyagi, Sunil Chandra, K.S. Mehta, S.K. Nainwal

Final Decision : Dismissed

Judgement

Pankaj Purohit, J

1. By means of this writ petition, petitioner has sought quashing of order dated 24.08.2023 passed by learned Deputy Director of Consolidation Haridwar in Revision No.33 of 2023 ?Smt. Kamlesh v. Mangesh Kumar and another? whereby the said revision was dismissed. Petitioner has also challenged the order dated 09.06.2023 passed in Appeal No.05 of 2022-23 ?Mangesh Kumar v. Smt. Kamlesh?, whereby the Settlement Officer (Consolidation) has allowed the delay condonation in the appeal and proceeded to hear the matter on merits.

2. It is the case of petitioner that the land which is the subject matter of the proceedings was mutated in the revenue records in the name of petitioner on 15.02.2014 in Case No.90. The said order was challenged by the respondents in the year 2016 by filing an appeal under Section 11(1) of the U.P. Consolidation of Land Holdings Act, 1953 before the Settlement Officer (Consolidation) Camp Roorkee. By reason of judgment dated 09.06.2023, learned Settlement Officer (Consolidation) condoned the delay of 02 years and four months. It is feeling aggrieved by the condonation of delay, petitioner challenged the said order in Revision Petition being Revision No.33 of 2023 before the Deputy Director of

Consolidation/Addl. Collector (Administration) Haridwar.

3. The main ground of challenge by the petitioner in the revisional Court was that the learned Settlement Officer (Consolidation), while condoning the delay, has not given any reason as to why the delay of 02 years and 4 months could be condoned. The Deputy Director of Consolidation by his order dated 24.08.2023 dismissed the revision and affirmed the order passed by the Settlement Officer Consolidation whereby the delay was condoned. Hence this petition.

4. It is contended by learned Counsel for the petitioner that the learned Deputy Director of Consolidation/Addl. Collector (Administration) Haridwar has dismissed the revision petition outrightly and affirmed the order condoning the delay.

5. On the other hand, learned Senior Counsel appearing for the respondent no.1 has argued that the Deputy Director of Consolidation/Addl. Collector (Administration) Haridwar while dismissing the revision has clearly gave a finding of fact that the Settlement Officer Consolidation gave proper opportunity of hearing to the parties. Moreover, learned Dy. Director of Consolidation too has passed the order in accordance with law after hearing both the parties. It needs to be mentioned that only the delay has been condoned in filing the appeal which order has been affirmed by the Revisional Court.

6. Having heard the learned Counsel for the parties and after going through the record, there is no illegality or irregularity in the impugned orders. The findings recorded are the concurrent ones which do not require any interference by this Court.

7. The petition lacks merit and the same is dismissed. Parties are directed to appear before the concerned Court for deciding the case on merits as per law.

8. Interim order dated 18.10.2023 is hereby vacated.