

Manazir Hussain

Vs

Deputy Directors Consolidation, U. P. and Others

Civil Appeal No. 798 of 1981

(P.N. Bhagwati, Baharul Islam JJ)

25.02.1981

JUDGMENT

1. Special leave granted.
2. It appears from the order of the Deputy Director (Consolidation) that he has not considered the question in regard to khatas Nos. 135 and 356 on merit 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 Deputy Director (Consolidation) insofar as these orders relate to khatas Nos. 135 and 356 and remand the case to the Deputy Director (Consolidation) so that he may consider the revision application of respondent 4 to 11 in regard to khatas Nos. 135 and 356 and dispose it of on merits after considering the oral and documentary evidence in regard to these two khatas, Since the case is an old one we direct the Deputy 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 Deputy Director (Consolidation) at 11 a. m. on March 9, 1981 for further directions in regard to the hearing of the case.
4. Status quo as on today will be maintained until the disposal of the case by the Deputy Director (Consolidation).
5. There will be no order as to costs.

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