

Lala vs Tehsildar (Judicial), Tehsil ... on 28 March, 2025

Author: Saurabh Lavania

Bench: Saurabh Lavania

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2025:AHC-LK0:17803

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 1688 of 2025

Petitioner :- Lala

Respondent :- Tehsildar (Judicial), Tehsil Haidergarh, Barabanki And Another

Counsel for Petitioner :- Saniya,Mukesh Kumar Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

The instant petition has been preferred seeking following main relief(s):-

"i) Issue a direction commanding the Tehsildar (Judicial), Tehsil Haidergarh and District Barabanki to decide mutation proceeding is pending in the mutation Case No. T202404120500527 (Lala Vs. Brajlal) filed by the petitioner on the basis of registered will deed dated 11.04.2012, expeditiously within fixed period which may

think proper wise this Hon'ble Court."

Considering the fact that the case in issue relates to mutation and as per Rule 34(7) of U.P. Revenue Code Rules, 2016 made under the U.P. Revenue Code, 2006, the mutation proceedings, being summary in nature, ought to have been decided within 45 days if there is no dispute and if there is dispute, then the same should preferably be decided within 90 days, however, in the instant case, the proceedings for mutation are pending since 2024, this Court is of the view that no gainful purpose will be served in keeping the present petition pending.

In view of above, the present petition is disposed of with a direction to the respondent No.1/Tehsildar (Judicial), Tehsil Haidergarh, Barabanki to consider and decide the Mutation Case No. T202404120500527 (Lala Vs. Brajlal) most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting unnecessary adjournment to either party preferably within a period of three months from the next date fixed in the case, if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either party on merits and the Authority concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid, the petition is disposed of.

Order Date :- 28.3.2025 Arun/-