

Lalji Singh vs Court Of Learned Tehsildar Judicial, ... on 28 March, 2025

Author: Saurabh Lavania

Bench: Saurabh Lavania

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2025:AHC-LK0:17790

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 1719 of 2025

Petitioner :- Lalji Singh

Respondent :- Court Of Learned Tehsildar Judicial, Ambedkar Nagar And Others

Counsel for Petitioner :- Maya Ram Yadav,Akhand Pratap Verma,Sri Gaurav Srivastava

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) direct the Opposite Party No. 1 i.e. The Court of Learned Tehsildar Judicial, Tehsil Tanda, District Ambedkar Nagar to decide the Mutation case No.

T202404040300706; (Lalji Vs. Ram Jiyawan), Under Section 34 of U.P. Revenue Code, 2006 for entering name into revenue record, expeditiously as this Hon'ble Court may deemed fit which is pending before Opposite Party No. 1 since 01.02.2024, (contained in Annexure No.1 to this petition), in the interest of justice."

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 February, 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 Tanda, District Ambedkar Nagar to consider and decide the Mutation case No. T202404040300706 (Lalji Vs. Ram Jiyawan) 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/-