

Court No. - 48

Case :- WRIT - B No. - 49 of 2023

Petitioner :- Raj Kumar

Respondent :- The Deputy Director Of Consolidation / Additional Collector Siddharth Nagar And 4 Others

Counsel for Petitioner :- Shishir Kumar Srivastava

Counsel for Respondent :- C.S.C., Sanjai Kumar Pandey

Hon'ble Saurabh Shyam Shamsbery,J.

1. Heard Sri Shishir Kumar Srivastava, learned counsel for the petitioner and Sri Sanjai Kumar Pandey, learned counsel for respondents.

2. It is not under dispute that present proceedings is arising out of mutation proceedings during consolidation proceedings.

3. Petitioner has lost before all the three authorities on the ground that despite opportunity he has failed to produce evidence in support of his claim on basis of registered sale deed dated 26.5.2006 as well as registered will deed dated 29.5.2006, whereas mutation was carried out on the basis of registered will dated 29.8.1996 executed in favour of respondent no.4.

4. Learned counsel appearing on behalf of subsequent purchaser submits that since proceedings were arising out of mutation proceedings, therefore, it does not declare title and documents on basis of which petitioner is claiming his right has already been challenged before in civil proceedings and outcome thereof would have its legal consequence.

5. In the aforesaid circumstances, since the petitioner has failed to produce any evidence in support of his claim before all the three authorities, therefore, there is no illegality in the impugned orders. However, legal consequence if any of the outcome of civil proceedings will have its own bearing since it is well settled that mutation entry does not confer any right, title or interest in favour of persons and its objective is only for fiscal purpose. (See **Jitendra Singh Vs. State of M.P., 2021 SCC OnLine SC 802**)

6. With the aforesaid observation/direction, this writ petition is disposed of.

Order Date :- 26.10.2023-SB