

Court No. - 47

Case :- WRIT - C No. - 32622 of 2023

Petitioner :- Vindhyachal Mishra

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Bhagwan Dutt Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

1. Heard learned counsel for the parties and perused the record.

2. The present petition has been filed with the following prayer:

"(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2 to get Amal Daramad/Mutation of the judgment and decree dated 03.08.2004 in the revenue record within stipulated period.

(ii) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 3 to get entered the name of plaintiff/petitioner in the revenue record in view of judgment and decree dated 03.08.2004, by deleting the name of respondent no.4 from the revenue record over the land in dispute i.e. arazi no. 683 area 0.745 hectare situated in Village Piprahiya, Tappa - Nagwa, Pargana - Vinayakpur, Tehsil - Nautanwa, District - Maharajganj.

(iii) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 3 to consider and decide the claim of the petitioner contained in representations dated 12.07.2023 (Annexure no. 5) for being entered the name of plaintiff/petitioner in the revenue record in view of judgment and decree dated 03.08.2004, by deleting the name of respondent no.4 from the revenue record over the land in dispute i.e. arazi no. 683 area 0.745 hectare situated in Village - Piprahiya, Tappa - Nagwa, Pargana - Vinayakpur, Tehsil - Nautanwa, District - Maharajganj. ."

3. Contention of the learned counsel for the petitioner is that after a decree was passed in his favour on 03.08.2004 in

proceedings u/s 229 B of U.P.Z.A. & L.R. Act, the revenue records were not corrected accordingly and therefore, a writ in the nature of mandamus be issued directing the respondent authorities to make the necessary corrections in the revenue records.

4. Learned Standing Counsel has raised a preliminary objection that the petitioner may approach the relevant authority under Section 32 of the U.P. Revenue Code, 2006.

5. In view of the above, I am not inclined to entertain the instant petition.

6. In case, the petitioner moves an application under Section 32 of Uttar Pradesh Revenue Code, 2006, before appropriate authority, the same shall be decided in accordance with law, after giving opportunity of hearing to the parties concerned, provided that there is no other legal impediment in passing such order.

7. With the aforesaid observation, the petition is **disposed of**.

Order Date :- 16.10.2023
Rishabh

[Manish Kumar Nigam, J.]