

Chief Justice's Court

Case :- WRIT - C No. - 35357 of 2023

Petitioner :- Smt.Chandrawati Devi

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Yogesh Tiwari,Krishna Datta Tiwari

Counsel for Respondent :- C.S.C,Shyam Mani Shukla

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ashutosh Srivastava,J.

Heard learned counsel for the petitioner, learned Standing Counsel for the State-respondent and Shri Shyam Mani Shukla, learned counsel for the respondent No. 3.

According to the petitioner, land bearing House No. 889/1, area 1573 square feet, situated at Kachauri Gali/Pakka Ghat, Ward No. 1, Kasba Vidhyachal Tappa-96, Pargana Kantit, District Mirzapur came in his possession and occupation by a registered sale deed dated 5.7.1996 and will deed dated 11.10.1996. Name of the petitioner was mutated in respect of the land purchased through sale deed. However, other portion went unrecorded which devolves upon him on the basis of will.

Grievance of the petitioner is that his application is pending before respondent No. 3 for mutating his name on the basis of will. He submits that purpose of filing this writ petition would be served, if directions are issued to the competent Authority to decide the pending application of the petitioner.

Counsel appearing for respondent No. 3 has no objection to the aforesaid proposition.

Without expressing any opinion on the merits of the case, petition is ***disposed of*** directing the respondent No. 3- Executive Officer, Nagar Palika Parishad, Mirzapur to decide pending application of the petitioner regarding mutation based on will in his favour within a period of two months from the date of production of certified copy of this order.

Both the counsels are obliged to serve the copy of this order to the competent Authority.

Order Date :- 17.10.2023

Ravi Prakash

(Ashutosh Srivastava, J.) (Pritinker Diwaker, CJ)