

Court No. - 47

Case :- WRIT - C No. - 38372 of 2023

Petitioner :- Shiv Junior High School

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

Counsel for Petitioner :- Chandra Shekhar Garg, Sr.
Advocate

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

1. Heard Shri H.R. Mishra, learned Senior Counsel assisted by Shri Chandra Shekhar Garg, learned counsel for the petitioner, learned Standing Counsel for the State and Shri K.K. Singh, learned counsel for the Gaon Sabha. Perused the record.

2. The instant petition has been filed seeking following relief :-

"to issue a writ order or direction in the nature of mandamus commanding the Sub-Divisional Officer, District Etah to direct the officials concerned so that the name of the petitioner, namely Shiva Junior High School be entered in the latest Khatauni namely 1430-1431 Fasli forthwith."

3. Learned Standing Counsel has raised an objection that petitioner's prayer, as made in the writ petition, cannot be allowed. Petitioner may file an application u/s 32 of the U.P. Revenue Code, 2006 for correction of revenue entries and, as such, the present petition may not be entertained.

4. Shri H.R. Mishra, learned Senior Counsel assisted by Shri Chandra Shekhar Garg, learned counsel for the petitioner prayed that petitioner will file an appropriate application under the provisions of Section 32 of U.P. Revenue Code, 2006 within a period of two weeks. He prayed that the same may be considered and decided, expeditiously.

5. No useful purpose would be served in keeping this writ petition pending.

6. In view of the above, this writ petition stands disposed of with a direction to respondent No.3 - Deputy Collector/Sub-Divisional Officer, Tehsil - Sadar, District - Etah, that in case such application is moved by the petitioner within time, as

indicated above, the same shall be considered and decided by respondent No.3, in accordance with law, expeditiously, preferably within a period of two months from the date of certified copy of this order after providing opportunity of hearing to all the concerned parties provided there is no other legal impediment.

Order Date :- 7.11.2023
Rishabh

[Manish Kumar Nigam, J.]