

Court No. - 51

Case :- WRIT - C No. - 39255 of 2023

Petitioner :- Barkhu

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

Counsel for Petitioner :- Shrawan Dwivedi, Madhu
Sudan Dwivedi

Counsel for Respondent :- CSC, Rameshwar Prasad
Shukla

Hon'ble Chandra Kumar Rai, J.

1. Heard Counsel for the petitioner, Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla for the respondent no.4, Gaon Sabha.

2. The instant petition has been filed for mandamus directing the respondent no.2, Sub Divisional Magistrate, Tehsil Budanpur District Azamgarh to decide the application under Section 32/38 of the U.P. Revenue Code, 2006 dated 2.5.2019 within stipulated period.

3. The application dated 2.5.2019 has been annexed as Annexure No.2 to the writ petition. The perusal of the application reveals that petitioner wants that his name be recorded on the basis of unregistered will deed executed on 1.1.1983.

4. In view of the averment made in the application, petitioner should apply for mutation under Section 35 of U.P. Revenue Code, 2006 rather by way of application under Section 32/38 of U.P. Revenue Code, 2006.

5. No case for expeditious disposal of the application dated 2.5.2019 is made out. Writ petition is accordingly **dismissed**.

Order Date :- 1.12.2023

Vandana Y.