

Court No. - 46

Case :- WRIT - C No. - 40656 of 2023

Petitioner :- Pradeep Johri

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

Counsel for Petitioner :- Rajesh Kumar Srivastava

Counsel for Respondent :- CSC

Hon'ble Ashwani Kumar Mishra,J.

Hon'ble Syed Aftab Husain Rizvi,J.

Heard learned counsel for the parties.

The petitioner is differently abled and seeking mutation of his name pursuant to a registered Will executed by her mother. It is submitted that the mother was previously recorded over the property and the application filed for mutation is being kept pending without any justification.

Considering the nature of order proposed to be passed, we do not deem it necessary to issue notices to the third respondent.

Learned State counsel submits that the competent authority shall take an appropriate decision in the matter.

In that view of the matter, we dispose of this petition with a direction upon the third respondent to accord consideration to petitioner's application, allegedly filed before the competent authority i.e. respondent no.3 on 30.05.2023. An appropriate order in that regard would be passed within a period of three months from the date of presentation of a copy of this order.

It is made clear that we have not expressed any opinion on the petitioner's claim, on merits, and all issues are left open for examination at the level of third respondent, at the first instance.

Order Date :- 28.11.2023

C. MANI