

Court No. - 51

Case :- WRIT - C No. - 40320 of 2023

Petitioner :- Kismawati Devi And Another

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Sunil Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1. Heard learned counsel for the petitioners and Mr. Anil Srivastava, learned Standing Counsel for the State-respondents.

2. The instant petition has been filed against the order dated 4.11.2023 passed by respondent no.2 i.e. Tahsildar, Tahsil-Nautanwa, District- Mahrajganj in the proceedings under Section 34 of U.P. Revenue Code, 2006.

3. Learned counsel for the petitioners submitted that vide impugned order substitution application filed by the petitioners has not been decided rather the order has been passed that matter shall be decided in pursuance of the direction of the this Court dated 13.5.2022 to decide the pending mutation proceedings expeditiously.

4. Mr. Anil Srivastava, learned Standing Counsel for the State-respondents submitted that the writ petition arises out of mutation proceedings which is still pending before Tahsildar, as such, no interference is required in the matter.

5. I have considered the argument advanced by learned counsel for the parties and perused the records.

6. There is no dispute about the fact that mutation proceedings under Section 34 of U.P. Revenue Code, 2006 is pending before the Tahsildar.

7. In view of the pendency of the mutation proceeding, it is directed that respondent no.2 / Tahsildar, Tahsil- Nautanwa, District- Mahrajganj shall decide the aforementioned mutation proceedings in view of the order dated 13.5.2022 passed by this Court to decide the proceedings expeditiously and all the pending applications before respondent no.2 shall be decided in accordance with law before deciding the

mutation case on merit.

8. With the above observations, the writ petition is finally disposed of.

9. It is made clear that this Court has not expressed any opinion on the merits of the pending proceedings / applications.

Order Date :- 7.12.2023

Rameez