

Court No. - 3

Case :- WRIT - C No. - 10830 of 2023

Petitioner :- Narvada Dhuriya

Respondent :- State Of U.P. Thru. Secy. Revenue Deptt. Civil
Sectt. U.P. Lucknow And Others

Counsel for Petitioner :- Manuvendra Singh

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. The petitioner has prayed for a writ of mandamus commanding/directing specifically the respondent no. 6- S.H.O. Police Station Kandhai, District Pratapgarh not to interfere in his possession over the property in dispute. The sole submission made by the petitioner is that his mutation application has been rejected against which he has filed an appeal under Section 207 of the U.P. Revenue Code before the Sub Divisional Magistrate, Patti, Pratapgarh but the same is neither being registered nor heard by the Sub Divisional Officer, concerned.

2. So far as the arguments raised before this Court is concerned, the grievance can be raised by the petitioner under Article 227 of the Constitution of India as the court of Sub Divisional Magistrate counts within supervisory powers. Hence, writ under Article 226 of the Constitution of India before the Division Bench is not maintainable.

3. With the aforesaid liberty, consigned to record.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 13.12.2023

Virendra