

Court No. - 6

Case :- WRIT - B No. - 1178 of 2023

Petitioner :- Abdul Kalam Qureshi

Respondent :- Board Of Revenue U.P. Lko. And Others

Counsel for Petitioner :- Phool Chandra Mishra, Poorendu Mishra, Saurabh Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar, J.

Heard Shri Poorendu Mishra, learned counsel for the petitioner.

Learned counsel for the petitioner submits that Ramesh Gautam, the respondent in revision No.187 of 2016 pending before the Board of Revenue, U.P., Lucknow has executed the registered Agreement to Sale in favour of the petitioner. Ramesh Gautam has died but his legal heirs are not executing the sale deed, therefore the petitioner has filed a civil suit for specific performance of the Agreement to Sale, in which an order of status quo has been granted but the application of the petitioner for impleadment filed in the aforesaid revision has been dismissed, whereas the petitioner is required to be impleaded.

Learned Standing Counsel opposed the prayer and submitted that the impugned order has rightly been passed because the petitioner does not get any right only on the basis of Agreement to Sale.

I have considered the submissions of learned counsel for the parties.

This Court is of the view that the application for impleadment has rightly and in accordance with law been dismissed by means of the impugned order because merely on the basis of Agreement to Sale in favour of the petitioner, he does not get any right for impleadment in proceedings, which are pending in furtherance of the mutation proceedings. The findings recorded by the respondent no.1 does not suffers from any illegality or error, which may call for any interference by this Court. This petition is misconceived and lacks merit.

The petition is, accordingly, **dismissed**.

(Rajnish Kumar, J.)

Order Date :- 22.12.2023

Haseen U.