2026:AHC-LKO:40111

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

MATTERS UNDER ARTICLE 227 No. - 3322 of 2026

Sadakant Yadav

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Revenue, Lko. And Others

.....Respondent(s)

Counsel for Petitioner(s) : Yogeshwar Sharan Srivastava, Umakant Yadav
Counsel for Respondent(s) : C.S.C.

Court No. - 4

HON'BLE SYED QAMAR HASAN RIZVI, J.

1. Heard Sri Gyan Chandra Dubey, learned counsel for the petitioner, Ms. Deepshikha, learned Chief Standing Counsel representing the respondents no.1 and perused the record.

2. The present petition has been filed, *inter alia*, for the following relief:

> "(i) Issue a suitable order or direction, thereby direct the opposite party no. 2 i.e. Tehsildar, Tehsil- Bhiti, Distt. Ambedkar Nagar to decide the mutation application no. T202304040501085 of 2023, under Section 34 of UP Revenue Code, 2006 (Sadakant Yadav and others Vs. Ghanshyam), the petitioner and other co-sharer bearing Restoration application no. 0796 of 2025 preferred by the petitioner dated 21.11.2023, expeditiously preferably within time framed manner as this Hon'ble Court may please deemed it appropriate."

3. Learned counsel for the petitioner submits that the case under Section 34 of U.P. Revenue Code, 2006 is pending for disposal since 11.08.2022 before the respondent No.2 but till date the proceeding has not been concluded.

4. Sub Rule 7 of Rule 34 of the U.P. Revenue Code Rules, 2016 provides as under:

> ".....(7). The Tahsildar shall make an endeavour to decide the undisputed case of mutation within the period of 45 days from the date of the registration of the case and the disputed case of mutation within the period of 90 days and if the proceeding is not concluded within such period the reason for the same shall be

recorded."

5. A plain reading of the aforesaid rule manifests the express and unequivocal legislative intent that proceedings are required to be concluded within the stipulated period of time and in the event of delay, the authority concerned is obligated to record reasons for the same.

6. Learned Chief Standing Counsel appearing for the State-respondents states that she has no objection if a direction is issued by this Court for expeditious disposal of the above-mentioned case within stipulated period as to be fixed by this Court.

7. In view of the nature of the order proposed to be passed, the service of notice upon the respondent no. 3 is dispensed with.

8. Taking into consideration the facts and circumstances of the case, this Court is of the view that no useful purpose would be served in keeping this petition pending.

9. Accordingly, without adverting on merits of the case and this Court deems it appropriate to finally dispose of the present petition with a direction to opposite party no. 2 i.e. Tehsildar, Tehsil- Bhiti, Distt. Ambedkar Nagar, before whom the aforementioned matter is pending for disposal, to decide Restoration application no. 0796 of 2025 preferred by the petitioner dated 21.11.2023 in mutation case no. T202304040501085 of 2023 filed under Section 34 of UP Revenue Code, 2006 (Sadakant Yadav and others Vs. Ghanshyam), strictly in accordance with law, by a reasoned order after affording due opportunity of hearing to the parties concerned, expeditiously and preferably within a period of **three months** from the date of receipt of a certified copy of this order, unless there is any legal impediment. It is further directed that no unnecessary adjournments be granted to either of the parties and the adjournment, if prayed for, the same shall be granted only in exceptional circumstances.

10. With the aforesaid direction, the present petition is **disposed of**.

June 3, 2026
Arun

(Syed Qamar Hasan Rizvi,J.)

Digitally signed by :-
ARUN KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench