Court No. - 2

Case :- WRIT - C No. - 10284 of 2024

Petitioner :- Mohd. Mufeed
Respondent :- District Magistrate District Sultanpur And 5 Others
Counsel for Petitioner :- Rajnish Kumar Singh,Shashank Vikram Shah
Counsel for Respondent :- C.S.C.

Hon'ble Rajan Roy,J.
Hon'ble Brij Raj Singh,J.

Considering the order proposed to be passed, issuance of notice to opposite party no.6 is dispensed with.

After going through the records what comes out is that the father of the petitioner, as claimed, died on 29.12.1983 and opposite party no.6 Mahrul Nisha wife of Mohd. Ajeem claims to have a sale deed in her favour which as alleged was executed by the father of the petitioner on 30.01.1984. A civil suit for cancellation of the sale deed dated 30.01.1984 is pending before the Civil Judge, Junior Division, Court no.15, Sultanpur since 01.07.2024. In the meantime, some proceedings have been initiated by the same Mahrul Nisha wife of Mohd. Ajeem for cancellation of the death certificate pertaining to the petitioner's father. The Village Development Officer is said to have submitted a report to A.D.O. (Panchayat), Baldirai, Sultanpur recommending cancellation of death certificate. The petitioner claims to have filed some application on 30.10.2024 for inquiry and that the certificate should not be cancelled. We do not find any order of cancellation on record.

Without adjudicating the merits of the claim of the petitioner, we dispose of this petition with the observations/ direction that if the proceedings are still pending and the petitioner is entitled to be heard in the matter then they shall be given an opportunity but as per law and a decision shall be taken accordingly after due verification of facts.

(Brij Raj Singh,J.) (Rajan Roy,J.)

Order Date :- 4.12.2024
Shanu/-

Digitally signed by :-
SHANU SUMAN
High Court of Judicature at Allahabad,
Lucknow Bench