

Court No. - 5

Case :- WRIT - C No. - 1530 of 2024

Petitioner :- Rajnath

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Anurag Upadhyay

Counsel for Respondent :- C.S.C.

Hon'ble Saral Srivastava,J.

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

The petitioner by means of the present writ petition has prayed for the following relief:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding the Sub Divisional Magistrate, Sadar, District Mau to decide the application dated 28.12.2023 filed on behalf of the petitioner in Case No.02050/2018 (computer case No. T201815510102050), Rajnath Vs. Uma & Others, under Section 116 of U.P. Revenue Code, 2006 pending in his Court expeditiously, preferably within the short period fixed by this Hon'ble Court.

(ii) Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

(iii) Award the cost of present writ petition in favour of the petitioner."

The case of the petitioner is that a partition suit under Section 116 of U.P. Revenue Code, 2006 was instituted in which the decree has been passed, and accordingly, the name of share holders have been mutated in the revenue record.

The grievance of the petitioner is that the map has not been

corrected in the light of the decree passed by the Court in Case No.2050 of 2018 (computerized case No.. *T201815510102050*).

The proper remedy available to the petitioner is to file an application under Section 30 of the U.P. Revenue Code, 2006 before the competent authority.

Consequently, the writ petition is **dismissed** with liberty to the petitioner to avail appropriate remedy available under law.

Order Date :- 28.2.2024

NS