



2026:AHC:41725

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 3979 of 2026

Shiv Kumar

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Suneel Kumar
Counsel for Respondent(s)	:	C.S.C., Rameshwar Prasad Shukla

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Heard learned counsel for the petitioner and perused the record.
2. In view of the order proposed to be passed herein, no useful purpose would be served by putting the opposite party to notice and keeping this petition pending before this Court. However, in case the opposite party feels aggrieved by the order his/her right to seek modification/variation of the order is being kept reserved.
3. The basic relief sought by the petitioner in the present writ petition is to direct the Respondent No.2 namely Tehsildar (Judicial), Tehsil- Phoolpur, District Azamgarh to decide the Case No.6586 of 2024 (Computerized Case No.T202415060306586), Shiv Kumar vs. Lahari, under Section 34 of U.P. Revenue Code, 2006 within stipulated period.
4. It is argued by the counsel for the petitioner that as per provisions contained under sub-rule (7) of Rules 34 of the U.P. Revenue Code Rules, 2016, such kind of applications should be decided within a time bound period. Sub Rule (7) of Rules 34 reads as follows:-

"(7). The Tahsildar shall make an endeavor to decide 20 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. It is further argued that though the aforesaid period has already been

lapsed but till date no final decision has been taken in the matter, hence the present writ petition.

6. In the facts and circumstances of the case, the present writ petition is **disposed of finally** directing the Respondent No.2 namely Tehsildar (Judicial), Tehsil- Phoolpur, District Azamgarh to decide the aforesaid case ***as per the provisions contained under sub-rule (7) of Rules 34 of the U.P. Revenue Code Rules, 2016***, unless there is no legal impediment.

(Prakash Padia,J.)

February 24, 2026

Swati