



2026:AHC:49239

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 8859 of 2026

Smt Subhawati

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Indrakesh Kumar Sharma, Sanjay Kumar Tiwari
Counsel for Respondent(s)	:	C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Heard learned counsel for the petitioner/petitioners, learned counsel for the respondents and perused the record.
2. In view of the order proposed to be passed herein, no useful purpose would be served by putting the private respondent to notice and keeping this petition pending before this Court. However, in case the private respondent feels aggrieved by the order his/her right to seek modification/variation of the order is being kept reserved.
3. The petitioner has preferred the present petition with the prayer to direct the respondent No. 2/ Naib Tehsildar-II, Tehsil Khalilabad, District Sant Kabir Nagar to decide the Case No. T201817650206029 (Smt. Subhawati Versus Fakharuddin @ Fakaruddin) under Section 34/35 of U.P. Revenue Code, 2006, expeditiously.
4. Learned counsel for the petitioner would submit that an application filed under sub-rule (7) of Rules 34 of the U.P. Revenue Code Rules, 2016, is pending since long. At this stage it would be apt and appropriate to note sub-rule (7) of Rules 34 of the U.P. Revenue Code Rules, 2016, which mandates that upon such an application being filed, the authority concerned would be required to dispose of the same within time bound period strictly in accordance with law. Sub-rule (7) of Rules 34 of the U.P. Revenue Code Rules, 2016,

"(7). The Tahsildar shall make an endeavor 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. In the teeth of the said provision and also in the light of the submissions made by the learned Advocates appearing for the parties, a direction is being issued to the respondent No. 2/ Naib Tehsildar-II, Tehsil Khalilabad, District Sant Kabir Nagar to take up the said application and dispose of the same on its own merits strictly in accordance with law most expeditiously and preferably within a period of three months from the date of production of certified copy of this order but without granting unnecessary adjournment unless there is no legal impediment.

6. With the aforesaid observations, the writ petition is ***disposed of***.

7. It is made clear that this Court has not expressed any opinion on the merits of the rival submissions.

(Prakash Padia,J.)

March 10, 2026
T.S.