



2026:AHC:45615

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 899 of 2026

Chhote Lal And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Bipin Lal Srivastava
Counsel for Respondent(s)	:	C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1.Heard Mr. Bipin Lal Srivastava, learned counsel for the petitioners and Mr. Ajay Kumar Baranwal, learned Standing Counsel for the State-respondents.

2.The instant petition has been filed for the following relief:-

"(I). Issue a writ of certiorari to set aside the impugned order dated 12.09.2025 passed by respondent no.3 (Annexure no.6) and respondent no.2 respectively (Annexure no.8).

II. Issue nature a writ order or direction in the of mandamus directing/commanding of the respondent no.3 to decide the appeal No.6379 2025, Computerized Case No.T202514290206379 (Mahanth and others Vs. Sheetala Yadav @ Sheetalwasa) under section 207 U.P.Z.A.& L.R. Act, expeditiously within an stipulated period as fixed by this Hon'ble Court and further direct the respondents to not to create any third party right during the pendency of the appeal before the respondent no.3."

3. Learned counsel for the petitioners submitted that Tehsildar has passed the order of mutation in favour of private respondents in illegal and arbitrary manner. He submitted that petitioners, who are claiming right on the basis of the succession filed appeal before Sub Divisional Officer, which is pending but prayer for interim relief has been refused. He submitted that interim order is required, as such the instant writ petition be disposed of directing the Sub

Divisional Officer to decide the appeal within time bound period and till the pendency of the appeal order passed by Tehsildar be kept in abeyance.

4. Learned Standing Counsel for the State-respondents submitted that no interference is required as mutation appeal filed by petitioner is pending before Sub Divisional officer, as such petitioner should contest the matter before the Court of Sub Divisional Officer rather writ petition before this Court.

5. I have considered the arguments advanced by learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.

6. There is no dispute about the fact that order for mutation was passed by Tehsildar in favour of private respondents and appeal filed by the petitioners is pending before Sub Divisional Officer.

7. Considering the entire facts and circumstances of the case, the instant writ petition is disposed of directing respondent No.3-Sub Divisional Officer, Mohammadabad, Ghazipur to decide the Appeal No.6379/ 2025, Computerized Case No.T202514290206379 in accordance with law expeditiously and preferably within a period of four months from the date of production of certified copy of this order after giving opportunity of hearing to both the parties.

February 26, 2026
PS*

(Chandra Kumar Rai,J.)