

Court No. - 51

Case :- WRIT - C No. - 28124 of 2023

Petitioner :- Sudha Devi

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Kundan Kumar,Ruchi Srivastava,Vikram

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1. Heard Mr. Vikram, Counsel for the petitioner and Mr. Rajesh Kumar Dwivedi, learned State Law Officer for the State-respondents.

2. The instant petition has been filed for mandamus directing the respondent nos. 3 and 4 to decide the claim/ representation of the petitioner within stipulated period.

3. Counsel for the petitioner submitted that petitioner is the daughter of deceased Ravikaran. He submitted that petitioner is entitled to be recorded on the basis of succession in place of Ravikaran. He submitted that authorities are not discharging their duties, as such, petitioner has filed an application before the authority which is annexed as Annexure No. 9 to the writ petition.

4. I have considered the arguments advanced by learned Counsel for the parties and perused the records.

5. There is no dispute about the fact that one Ravikaran was recorded tenure holder of the plot in dispute who expired on 5.7.2023.

6. In view of the averment made in the application dated 15.7.2023, petitioner should avail proper remedy under Section 34 of the U.P. Revenue Code, 2006 for recording her name rather filing miscellaneous application before the authorities. No interference is required in the matter. Writ petition is **dismissed** accordingly.

Order Date :- 31.10.2023

Vandana Y.