

Court No. - 6

Case :- WRIT - C No. - 35707 of 2023

Petitioner :- Smt. Shivdulari Rai

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Ravi Kant Singh

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard Mr. Ravi Kant Singh, learned counsel for the petitioner, Mr. Rameshwar Prasad Shukla, learned counsel for respondent no.5 and learned Standing Counsel for the State-respondents.

The writ petition has been filed with a prayer to direct the respondent no.4 i.e. Assistant Development Officer (Panchayat), Block-Martinganj, District-Azamgarh to correct wrong entries and delete the names of respondent nos.6 and 7 from the family register of the petitioner, after getting a proper inquiry conducted.

Learned counsel for the petitioner submits that petitioner's husband expired on 18.12.2017 leaving behind petitioner and two married daughters, namely, Smt. Sadhna Rai w/o Sri Shashi Kant Rai and Smt. Babita Rai w/o of late Shree Kant Rai. Petitioner's husband had never adopted any son. It appears that respondent nos.6 & 7 has been entered in the family register of the petitioner, hence, a complaint was placed before concerned authorities and an application has been moved before respondent no.4 for correction of the entries, which is still pending, therefore, a direction may be issued to the respondent no.4 to decide the same, within stipulated period.

Learned Standing Counsel as well as learned counsel for

respondent no.5 have no objection, in case, a direction is issued.

No useful purpose would be served by keeping this petition pending in view of the order, which the Court proposes to pass hereunder.

In view of the above facts and circumstance of the case, the petitioner is permitted to file a fresh representation/application, ventilating all her grievances, before the respondent no.4 i.e. Assistant Development Officer (Panchayat), Block Martinganj, District Azamgarh, within three weeks from today along with a certified copy of this order. On such representation/application being made, respondent no.4 shall make all endeavours to consider and decide the same, in accordance with law, by means of a reasoned and speaking order, after hearing all the parties concerned including the respondent nos.6 & 7 i.e. Arun Kumar Rai S/o late Rajendra Rai and Anil Kumar Rai S/o late Rajendra Rai, respectively, as expeditiously as possible, preferably within a period of two months, from the date of production of certified copy of this order, if there is no legal impediment.

With the aforesaid observations, the writ petition is **disposed off**.

Order Date :- 9.11.2023

Rahul.