

Court No. - 51

Case :- WRIT - C No. - 33525 of 2023

Petitioner :- Mahendra Alias Chandrakant Dubey

Respondent :- The State Of U.P. And 2 Others

Counsel for Petitioner :- Yogesh Narayan Dubey

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1. Heard Counsel for the petitioner and Mr. Abhinav Ojha, learned Standing Counsel for the State-respondents.

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

" Issue a writ, order or direction in the nature of mandamus directing the respondents to mutate the name of the petitioner in revenue record in Arazi No. 104K area 0.3410 hectare, 161 area 0.2410 hectare, 613 area 1.0670 hectare and 104 Kh area 0.0490 hectare, situated at Village Makanpur Rohi, Pargana Bhadohi, Tehsil Gyanpur, District Bhadohi in revenue record of plot No. 330 Block H/2 Scheme No. II Kidwai Nagar, Bhadohi."

3. Counsel for the petitioner submitted that petitioner's father is not traceable for the last 35 years, as such, authorities should record the name of the petitioner in place of his father.

4. Mr. Abhinav Ojha, learned Standing Counsel for the State-respondents submitted that petitioner should avail proper remedy for recording his name rather miscellaneous application before the authorities or writ petition before this Court under Article 226 of the Constitution of India.

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

6. In view of the prayer made in the writ petition, petitioner should initiate proper proceeding for recording his name in place of his father rather miscellaneous application before the authorities.

7. No interference is required in the matter.

8. Writ petition is **disposed of** with liberty to the petitioner to initiate proper proceeding in accordance with law.

Order Date :- 3.11.2023

Vandana Y.