

Court No. - 32

Case :- WRIT - C No. - 42042 of 2023

Petitioner :- Usha Tripathi

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Ganesh Shanker Srivastava, Ashwini Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

Heard the counsel for the petitioner.

The grievance of the petitioner in the present petition is against a certain letter written by the Higher Officers of the police department and the state administration asking the petitioner to execute a registered sale deed in favour of the State Government and its department regarding her *bhumidhari* plots.

The petitioner finds letter to be compelling in nature and apprehends that she shall be coerced to execute a sale deed of her *bhumidhari* plots, therefore, the present petition has been filed praying for a mandamus commanding the State respondents not to interfere in the peaceful possession of the petitioner on her *bhumidhari* plots, i.e., Plot Nos. 444, 445 and 463 situated in Mauza Samasatpur Pargana Haweli, Tehsil Chunar, District Mirzapur.

A perusal of the notices and the letter written by the State respondents to the petitioner do not show that the petitioner is being coerced to execute a sale deed of her plots and the letter only show that the petitioner has been informed that if she does not execute the sale deed, the land shall be acquired by the State Government as it is required for establishing an institution for police training.

However, considering the apprehension of the petitioner, the petition is ***disposed of*** by providing that the respondents shall not compel the petitioner to execute sale deed in respect of her share in their favour unless she agrees for the same on her free will. However, it shall be open to the respondents to acquire the subject land by following the procedure prescribed under law.

Order Date :- 6.12.2023

Satyam