

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3084 of 2018**

1. Somari D/o Late Shiv Bargah Aged About 69 Years R/o Village Sundarpur, Tahsil Ambikapur, District- Surguja, Chhattisgrh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Commissioner, Surguja Division, Place Ambikapur, District- Surguja, Chhattisgarh.
2. Sub Divisional Officer Revenue, Ambikapur, District- Surguja, Chhattisgarh.
3. Tahsildar Ambikapur, District- Surguja, Chhattisgarh.

---- Respondent

For Petitioner

Shri Mohan Lal Sen, Advocate

For Respondent/State

Shri Anand Dadariya, Govt. Advocate

Order On Board**By****Prashant Kumar Mishra, J.****19/11/2018**

1. Petitioner is aggrieved by the order passed by the Commissioner, Surguja Division, dismissing her appeal, which, in turn, was preferred against the order passed by the Sub Divisional Officer (Revenue), Ambikapur, on 22-5-2012.
2. Before the SDO (R) the petitioner has challenged the mutation proceedings and mutation order dated 26-12-1962 wherein names of other members of the family were recorded

after death of common ancestor, but the petitioner's name was not recorded.

3. Admittedly, the appeal was preferred after about 49 years of the mutation order, therefore, neither the SDO (R) nor the Commissioner, Surguja Division has committed any illegality in dismissing the appeal. If the petitioner feels that she is entitled to succeed to the property it remains open for her to establish her title by preferring the suit before the jurisdictional civil Court.
4. As a sequel, the writ petition, *sans* merit, is liable to be and is hereby dismissed.

Sd/-

Judge

Prashant Kumar Mishra

Gowri