

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 5920/2021

1. Ashutosh Yadav Son Of Late Shri Ram Narayan Yadav, Aged About 40 Years, R/o Om Prakash Marg, Bada Takha, Tonk, Rajasthan.
2. Sanjay Yadav Son Of Late Shri Ram Narayan Yadav, Aged About 45 Years, R/o Om Prakash Marg, Bada Takha, Tonk, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Mines And Petroleum, Government Of Rajasthan, Secretariat, Jaipur.
2. Directorate Of Mines And Geology, Through The Director Of Mines And Geology Department, Udaipur.
3. Office Of The Additional Director (Mines), Mines And Geology Department, Jaipur Through The Additional Director (Mines).
4. Department Of Mines And Geology- Tonk, Through Assistant Mining Engineer, Tonk.
5. Ravi Yadav S/o Late Shri Ram Narain Yadav, Aged About 44 Years, R/o Village New Loha Mandi Road, Plot No. 548, Machda, Jaipur (Rajasthan)

----Respondents

For Petitioner(s)	:	Mr. David Mehla for Mr. Sandeep Singh Shekhawat
For Respondent(s)	:	Mr. Abdul Rauf for Mr. Zakir Hussain, AGC Mr. Ashwani Kumar Chobisa Mr. Bharat Yadav

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Order

12/05/2022

For the reasons stated in the application No.2/2022 filed by the applicant- Smt. Sangeet Yadav seeking her impleadment as respondent, which is not opposed by learned counsel for the respondents, the same is allowed. Smt. Sangeeta Yadav is impleaded as respondent No.6. Amended cause title appended with the application is taken on record.

On the oral request of the learned counsels for the respective parties, the writ petition was heard on its merit at this stage.

This writ petition is directed against the order dated 01.04.2021 passed by the Assistant Mining Engineer whereby request of the petitioners to renew mining lease in the name of their father Late Shri Ram Narayan Yadav, was rejected in absence of all his legal heirs as applicants.

Learned counsel for the petitioners, on instructions, submitted that they are ready to share rights in the mining lease granted in favour of their late father alongwith the respondents No.5 & 6, their brother and sister respectively, as per their entitlement under the Hindu Succession Act, 1956 and prayed that the writ petition may be disposed of accordingly.

Learned counsels for the respondents No.5 & 6 have no objection to the aforesaid prayer.

In view thereof, this writ petition is disposed of with direction to the official respondents to carry out mutation of the mining lease No.3/1985 standing in the name of late Shri Ram Narayan Yadav in favour of the petitioners as also respondents No.5 & 6 as per their share on submission of a joint application by all of them within a period of four weeks from the date of receipt of such application.

The pending application No.1/2022 stands disposed of accordingly.

(MAHENDAR KUMAR GOYAL),J