

Court No. - 81

Case :- MATTERS UNDER ARTICLE 227 No. - 6535 of 2023

Petitioner :- Ravinder

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

Counsel for Petitioner :- Sandeep Tripathi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Jyotsna Sharma,J.

1. Heard Sri Sandeep Tripathi, learned counsel for the petitioner and Sri L.D. Rajbhar, learned AGA for the State.
2. By means of this Misc. Petition (Criminal) under Article 227 of the Constitution, the order dated 03.04.2023 passed by Additional District Judge, Shamli in Civil Appeal No. 13 of 2022 (Ravindra vs. State of U.P.) under section 72 of U.P. Excise Act, has been challenged.
3. In my view, the order under challenge was passed by the court concerned in civil side, therefore, the petition which is styled as Misc. Petition (Civil) under Article 227 of the Constitution, shall be maintainable and not a Misc. Petition (Criminal).
4. In view of the above position, the petitioner seeks not to press this petition with liberty to file a suitable petition.
5. Hence, the petition is **dismissed with aforesaid liberty**.
6. Certified copy of the order may be returned to the petitioner, as per rules.

Order Date :- 13.10.2023

#Vikram/-