

Court No. - 90

Case :- APPLICATION U/S 482 No. - 21428 of 2023

Applicant :- Shah Alam

Opposite Party :- State Of U.P.And 8 Others

Counsel for Applicant :- Rajesh Kumar Gautam

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The present applicant has invoked the inherent power of this Court under Section 482 CrPC assailing the order dated 14.10.2019 passed by Principal Judge, Family Court, Azamgarh in Case No. 70 of 2018 (Asma Khatoun and others Vs. Shah Alam), under Section 125 CrPC, Police Station Sarai Meer, District Azamgarh and consequential proceeding for recovery of the amount.
3. Learned AGA has raised preliminary objections with respect to the maintainability of instant application filed under Section 482 CrPC on the ground of availability of alternative remedy to approach before the court concerned under Section 126 CrPC.
4. This Court finds substance in the submission raised by the learned AGA. Accordingly, instant application is dismissed on the ground of availability of alternative remedy to approach before the court concerned under any prescribed provisions, as advised.

Order Date :- 18.10.2023

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