

Court No. - 47

Case :- WRIT - C No. - 34119 of 2023

Petitioner :- Smt. Vimla Devi

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

Counsel for Petitioner :- Sanjay Rajpoot

Counsel for Respondent :- C.S.C., Sher Bahadur Singh

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. The instant writ petition has been filed for the following main relief :-

"i) Issue a writ, order or direction in the nature of certiorari, quashing the impugned order dated 28.02.2023 passed by the respondent No.2 in Case NoC202212000001367 (Smt. Vimla Devi Vs. State of U.P. & others), Under Section 38(4) of U.P. Revenue Code, 2006 and the order impugned dated 11.04.2022 passed by the Sub District Magistrate Bisalpur in Case bearing No.3085 of 2022, Computerized Case No. T202212560203085 (State Vs. Gaon Sabha) under Section 38(2) of U.P. Revenue Code, 2006 (Annexure No.5 & 4 to the writ petition).

ii) Issue a writ, order or direction in the nature of mandamus, commanding and directing the authorities concerned not to take any coercive measures against the petitioner in pursuance of the impugned order dated 28.02.2023 passed by the respondent no.2 and the order impugned dated 11.04.2022 passed by the Sub District Magistrate Bisalpur (Annexure No.5 & 4 to the writ petition)."

3. A preliminary objection has been raised by learned Standing Counsel that petitioner may avail alternative remedy as against the appellate order, a revision is maintainable under Section 210 of U.P. Revenue Code, 2006.

4. In view of the above, this Court is not inclined to interfere in the matter. However, petitioner is at liberty to avail alternative remedy for redressal of his grievances under the provisions of U.P. Revenue Code, 2006.

5. With these observations, the writ petition stands **disposed of**.

Order Date :- 12.10.2023

Rishabh

[Manish Kumar Nigam, J.]