

Court No. - 52

Case :- WRIT - C No. - 27664 of 2023

Petitioner :- Subedar And 5 Others

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Jaishankar Prasad Tyagi, Lallan Chaubey

Counsel for Respondent :- CSC

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Jaishankar Prasad Tyagi, learned counsel for petitioners and learned Standing counsel for State respondents.

2. Present petition has been filed seeking following reliefs:

"1. to issue a writ order or direction in the nature of mandamus commanding the respondents number 2 and 3 for correction of revenue record in reliance of application dated 04/05/2023 pending before Tehsildar concern as annexure-9 to this petition.

2. to kindly be passed the order against guilty persons of the committed colorable work against the petitioner."

3. At the very outset, learned Standing counsel for State respondents raised a preliminary objection with regard to maintainability of the petition on the ground that petitioners have alternate remedy prescribed in the U.P. Revenue Code, 2006, for redressal of their grievance.

4. Learned counsel for petitioner could not give a satisfactory reply to the objection raised by learned Standing counsel for State respondents.

5. In view of the aforementioned facts and circumstances, it is crystal clear that petitioners have an alternative remedy available under U.P. Revenue Code, 2006 for redressal of their grievance with regard to the prayer sought through the instant petition and as such no cause of action survives for petitioner to pursue the instant petition and the same stands **dismissed**. However, petitioners are at liberty to prefer correction application provided under the statutory provisions for redressal of their grievances.

Order Date :- 22.11.2023

Shaswat