

Court No. - 51

Case :- WRIT - C No. - 27936 of 2023

Petitioner :- Reena Singh

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Hitesh Kumar Mishra

Counsel for Respondent :- CSC

Hon'ble Chandra Kumar Rai,J.

1. Heard learned counsel for the petitioner and Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents.

2. The instant petition has been filed for the following reliefs:

"i. issue a writ, order or direction in the nature of mandamus direct the respondent nos.2 & 3 to take action and vacate the land bearing Gata No.383 and 385 in village Charawan Barwan Sikandarpur, District- Ballia from the illegal encroachment of respondent nos.5 & 6.

ii. issue a writ, order or direction in the nature of mandamus direct the respondent no.2 to decide the representation dated 10.4.2023 submitted by the petitioner."

3. Learned counsel for the petitioner submitted that the petitioner is sitting pradhan of the gram sabha. He further submitted that gaon sabha land has been encroached by the private parties, as such, the instant petition has been filed.

4. Mr. Sridhar Tripathi, learned Standing Counsel for the State-respondents submitted that the instant petition is not maintainable as the petitioner, who is sitting pradhan, cannot file the petition through private counsel unless there is resolution and permission of the Collector in accordance with law.

5. In view of the above, the writ petition is not maintainable and the same is hereby ***dismissed***.

Order Date :- 11.12.2023

Rameez