

Court No. - 85

Case :- WRIT - C No. - 28773 of 2023

Petitioner :- Smt. Neha Bano And Another

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ajay Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Mayank Kumar Jain,J.

1. Heard learned counsel for the petitioners and learned Standing Counsel for the State respondents.
2. By means of the present writ petition, the petitioners have prayed for a direction in the nature of mandamus commanding and directing the respondents not to disturb into peaceful living relationship of the petitioners and further the respondent nos. 2 and 3 may be directed do not act as per the complaint made by the respondent nos. 4 and 5.
3. It is submitted that petitioner no. 1 and petitioner no. 2 are major as per their Adhar Card and they are living together in live-in relationship, they are threatened by respondent nos. 4 and 5 into their peaceful living. Therefore, respondent nos. 4 and 5 may be directed not to interfere in the peaceful living of the petitioners.
4. Per contra, learned Standing Counsel submitted that this matter is squarely covered by judgement of this Court passed in **Criminal Misc. Writ Petition No. 3310 of 2023, Kiran Rawat And Another Vs. State of U.P. Thru. Secy. Home, Lko. And Others, reported in 2023 SCC Online All 323.**
5. In the present writ petition, petitioner no.1 is Muslim by religion and petitioner no.2 is Hindu by religion, therefore ratio of the judgement passed in **Kiran Rawat (supra)** is applicable to the present writ petition.
6. Hence, this writ petition is accordingly dismissed.

Order Date :- 30.11.2023

PS