

Court No. - 47

Case :- WRIT - C No. - 29860 of 2023

Petitioner :- Lalman Divedi And Another

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

Counsel for Petitioner :- Kaushal Kishor

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

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

2. The present writ petition has been filed for the following relief

"i. Issue a writ, order or direction in the nature of Certiorari to quashing order dated 29.5.2023 passed by Tehsildar Maudaha, District Hamirpur in Restoration Application in Case No.T202007320501930, Ajay Singh Prahlad & others Vs. Rishiraj Dubey (Minor) and others.

ii. Issue a writ, order or direction in the nature of mandamus commanding the respondents to Restore the aforesaid case as Original Number in Case No.T202007320501930, Ajay Singh Prahlad & others Vs. Rishiraj Dubey (Minor) and others."

3. The contention of learned Counsel for the petitioner is that against the order dated 13.12.2021 passed by respondent no.2, petitioner filed a restoration application and the same has also been rejected by the order dated 29.5.2023.

4. Learned Standing Counsel has raised a preliminary objection that the petitioner has an alternative remedy of filing appeal as well as revision against the order impugned.

5. Since the petitioner has an alternative remedy, I am not inclined to entertain the instant petition.

6. The writ petition is **dismissed** as withdrawn with liberty to the petitioner to pursue the remedy as available under the law.

Order Date :- 17.10.2023

S. Singh