

Court No. - 40

Case :- WRIT - C No. - 29440 of 2023

Petitioner :- Rakhi

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Mansa Singh,Ulajhan Singh Bind

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner, Mr. R.P. Pandey, learned Additional Chief Standing Counsel for the State-respondents and perused the record.

2. By means of the instant petition, petitioner has prayed for following principal reliefs:-

"(i) Issue the writ, order or direction in the nature of mandamus commanding and directing the respondents police authority to take necessary legal action against the respondent no.4 to 9.

(ii) Issue the writ, order or direction in the nature of mandamus commanding and directing the respondents police authority to provide the police protection to the petitioner from the respondent no.4 to 9.

(iii) Issue the writ, order or direction in the nature of mandamus commanding and directing the respondent nos.2 and 3 to decide the representation dated 16.08.2023 of the petitioner within a specific/within a fixed period."

3. At the very outset, learned Additional Chief Standing Counsel for the State-respondents raised a preliminary objection regarding the maintainability of the instant petition on the ground that the petitioner has got efficacious remedy to move an application under Section 156(3) Cr.P.C. before the Court below for redressal of her grievance.

4. When confronted with above, the learned counsel for the petitioner could not overcome the same.

5. Considering the facts and circumstances of the case, we are not inclined to adjudicate the matter. Needless to say, it is open to the petitioner to move an application under Section 156(3) Cr.P.C. before the Court below for redressal of her grievance.

6. With the aforesaid observations, the instant petition stands ***disposed of.***

Order Date :- 16.10.2023
Sachin