

Court No. - 40

Case :- WRIT - C No. - 29794 of 2023

Petitioner :- Smt. Komal Sharma

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

Counsel for Petitioner :- Santosh Kumar Pandey, Mahesh Pandey

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

2. The present petition has been preferred by the petitioner seeking following reliefs:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding and directing in the nature of mandamus commanding and directing the respondent no.1 to 6 to ensure security and safety of the petitioner which is provide in Article 21 of the Constitution of India.

(ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no.1 to 6 taking coercive action against the respondent no.7 who was illegally vacated the House No.G-9, 1702 Nirala Green Shire Society, Sector-2 Near St. John School, Greater Noida West, District-Gautam Budh Nagar (U.P.)-201306 from the petitioner who is legal wedded wife of the respondent no.7.

(iii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent No.1 to 6 to restore the possession of the petitioner in the House N.G-9, 1702 Nirala Green Shire Society, Sector-2, Near St. John School, Greater Noida West, District-Gautam Budh Nagar (U.P.)-201306.

(iv) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no.1 to 6 to not harass the petitioner in any manner on the pressure of respondent no.7 (who is Junior Statistical Officer, Central Water Commission, O & M Section, 3rd Floor, Seva Bhawan, R.K. Puram, New Delhi) as well as police personnel of the District-Gautam Budh Nagar (Commissionerate) and rascal persons or due process of law."

3. As the petitioner has already approached the Family Court at Gautam Budh Nagar, we are not inclined to entertain the present writ petition. Needless to say that the petitioner may press the reliefs sought in the present petition before the concerned Family Court.

4. The writ petition is disposed of with aforesaid observations.

Order Date :- 13.10.2023

Manish Himwan