

Court No. - 40

Case :- WRIT - C No. - 31316 of 2023

Petitioner :- Ram Lakhan Ram

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Parmeshwar Kr. Chaudhary, Neha Rajput

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

Heard learned counsel for the petitioner and Shri Ambrish Shukla, learned Additional Chief Standing Counsel for the State.

Present writ petition is preferred inter-alia with following reliefs:-

"(I) A writ, order or direction in the nature of mandamus commanding the respondent no.2 to correctly demarcate the G.T. Road situated in Village Naraur (Dehat Amanat), Tehsil Raja Talab, District Varanasi to its actual position, according to procedure established by law within a stipulated period as may be specified by this Court.

(II) A writ, order or direction in the nature of mandamus commanding respondent especially respondent no.2 not to disturb peaceful leaving of petitioner and not to dispossess the petitioner from his land/house situated in Gata No.169Ka, in Village Naraur, Tehsil Raja Talab, District Varanasi."

In pith and substance, the petitioner's grievance is that on the spot actual demarcation may be ensured.

Today when the matter is taken up, learned Additional Chief Standing Counsel has placed the detailed instructions, which is taken on record. He submits that for the reliefs claimed in the writ petition, full fledged mechanism is provided under the U.P. Land Revenue Act 2006 (in short the 'Code 2006') and once alternative remedy is available there is no reason or occasion to interfere in the matter.

5. The Court has proceeded to examine the record in question and find substance in the objection raised by learned Standing Counsel, as such we are not at all inclined to entertain the writ petition. The U.P. Land Revenue Act 2006 is a self contained Act. In case petitioner has any grievance qua demarcation of the land in question, it is always open to him to press the relief under Code 2006 before the Competent Court/Authority.

6. With these observations, the Writ Petition is ***disposed of***.

Order Date :- 12.10.2023

A. Pandey