

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9130 of 2023

Petitioner :- Krishna Kumar

Respondent :- Smt. Kanchan Bajpai

Counsel for Petitioner :- Mahesh Kumar

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

2. This petition has been filed seeking the following relief:

"I. Issue a order or direction in a nature of mandamus commanding/directing the respondent from evicting the petitioner in pursuance of the order passed by the court below in Civil Suit No. 625/2023, CNR No. UPKN01, (Krishna Kumar Versus Kanchan Bajpai), under Section 25 of the Provincial of Small Causes Court Act, 1972 (U.P. Act No. 13 of 1972) passed by the learned District Judge, Kanpur Nagar within a stipulated period in accordance with law."

3. It appears from perusal of the record that the respondent-land lady had filed a S.C.C. Suit No. 198 of 2015 (Kanchan Bajpai Vs. Krishna Kumar) before the J.S.C.C.-II, Kanpur Nagar in which the petitioner was shown to be the tenant of a shop. It is stated that the revision was filed against the judgment and order passed by the J.S.C.C.-II, Kanpur Nagar in S.C.C. Suit No. 198 of 2015 dated 31.3.2023. It is stated that the revisional court was acting in biased manner and therefore, a transfer application was filed before the District Judge which was rejected.

4. I have perused the petition and I find the contents thereof to be vague and misleading. The prayer made in this petition for direction in a nature of mandamus to the respondent from evicting the petitioner in pursuance of the order passed by Judge, Small Causes Court in Suit No. 625 of 2023. It is noted that in the aforesaid petition, the suit number has been mentioned as 198 of 2015.

5. This petition is misconceived and is **dismissed**.

Order Date :- 9.11.2023

A. V. Singh

(Jayant Banerji, J.)