

Court No. - 6

Case :- WRIT - C No. - 30866 of 2023

Petitioner :- Ram Khelavan Verma

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

Counsel for Petitioner :- Ashish Kumar Srivastava, Atul Kumar Srivastava

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Mrs. Manju Rani Chauhan, J.

On 12.09.2023, the following order was passed:-

"List revised. None appears on behalf of the petitioner as well as respondent no.6 to press this case, however, learned Standing Counsel is present.

Record goes to show that the petition has been filed with a prayer to quash the order dated 27.07.2023 vide which on the complaint of the petitioner order has been passed.

Learned Standing Counsel is granted four weeks' time to file counter affidavit.

List this case on 10.10.2023."

Learned counsel for the petitioner submits that no counter affidavit has been filed till date.

Record reveals that the petition has been filed for challenging the order dated 27.07.2023, vide which, on the complaint of petitioner order has been passed in favour of Pradhan.

Learned Standing Counsel points out that this is the complainant's petition where a complaint has been made against the Pradhan. He further submits that being complainant petitioner has no locus to file such petition, therefore, the same is not maintainable. In support of his contention, he has relied upon the Full Bench judgment of this Court in the case of **Vivekanand Yadav vs. State of U.P. and another reported in 2010(10) ADJ 1 (FB)** and the

judgment of Co-ordinate Bench of this Court in the case of **Narendra Kumar vs. State of U.P. and Ors. reported in 2013(1) ADJ 228.**

Accordingly, the petition is **dismissed** as not maintainable.

Order Date :- 12.12.2023

Rahul.