

Court No. - 47

Case :- WRIT - C No. - 30962 of 2023

Petitioner :- Sundarkali

Respondent :- The State Of U.P. And 7 Others

Counsel for Petitioner :- Alok Singh, Rakesh Kumar Maurya

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the petitioner, learned counsel for the respondent and learned Standing Counsel and perused the record.

2. The present petition has been filed with the following prayer:

i-. Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no. 3 to decide the representation dated 19.08.2023 of the petitioner, pending before the respondent no. 3 within stipulated period.

3. Learned Standing Counsel has raised a preliminary objection that the petitioner who claims himself to be a patta dharak has been dispossessed subsequently by certain persons. Learned Standing Counsel draws attention of the Court to the provisions of Section 129 of U.P. Revenue Code, 2006 which provides for restoration of possession in case the lease holder dispossessed by the other persons.

4. Since the petitioner has an alternative remedy, I am not inclined to entertain the instant petition.

5. Accordingly, the writ petition is disposed of with a direction to the petitioner to move appropriate application under Section 129 of U.P. Revenue Code, 2006.

5. In case, the petitioner moves an application under Section 129 of Uttar Pradesh Revenue Code, 2006, before appropriate authority, the same shall be decided expeditiously, preferably within a period of one month from the date of production of a certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

6. With the aforesaid observation, the petition is disposed of.

Order Date :- 23.11.2023

Ved Prakash