

Court No. - 47

Case :- WRIT - C No. - 31395 of 2023

Petitioner :- Girish Chandra Yadav

Respondent :- State Of U.P. And 9 Others

Counsel for Petitioner :- Manoj Kumar Rai, Alok Kumar Rai

Counsel for Respondent :- C.S.C., Pankaj Kumar Gupta

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. This writ petition has been filed for following relief:

"(i) to issue a writ, order or direction in the nature of mandamus commanding the respondent no. 2 to 4 i.e. District Magistrate, Sant Kabir Nagar, Sub Divisional Magistrate/Tehsildar, Tehsil Ghanghata, District Sant Kabir Nagar and Assistant Collector, Tehsil Ghanghata, District Sant Kabir Nagar to ensure the compliance of order dated 14.09.2017, 15.09.2017 and 19.09.2017 as well as execution (warrant) dated 16.09.2017 passed by the then Tehsildar, Tehsil Ghanghata, District Sant Kabir Nagar and challan report dated 20.01.2017 under Section 133 Cr.P.C. Police Station Mahuli, District Sant Kabir Nagar for initiating the eviction proceeding against the private respondents from the public utility lands bearing Arazi no. 104 (khalihan) and Arazi no. 105 (public road) situated in Village Galimpur, Tehsil Ghanghata, District Sant Kabir Nagar within stipulated period as deem fit and proper by this Hon'ble Court."

3. Learned Standing Counsel has raised preliminary objection that orders have been passed by the respondent authorities for removal of the encroachment, which are not being complied with. In view of the judgment of Division Bench of this Court in case of **Manbhavati Vs. State of U.P. and others** reported in **2020 1 AWC 789A** and **Writ C No. 7863 of 2018 (Brij Bhushan Rai v. State of U.P. and 6 others)**, no writ petition is maintainable for execution of orders passed by the Revenue Court.

4. Accordingly, the writ petition is **dismissed**.

Order Date :- 31.10.2023

Nitika Sri.

(Manish Kumar Nigam, J.)