

Court No. - 47

Case :- WRIT - C No. - 31491 of 2023

Petitioner :- Smt. Indrawati And Another

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Mamta

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

Hon'ble Manish Kumar Nigam, J.

1. Case called out in the revised list. None appears on behalf of the petitioner, however, learned Standing Counsel is present.

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

"i) issue a writ, order or direction in the nature of Mandamus, directing the respondents especially respondent nos. 2 to 4 to look into the matter and order to restrained the respondent no. 6 not to making construction on the disputed land i.e. Arazi/ Gata No. 59 Min./0.0120 Hectare situated at Village Nevada, Mukhlispur Pargana Rari, Tehsil Badlapur, District- Jaunpur, till the disposal of the Revision No. 202214000001965 of 2022 (Smt. Indrawati Devi and Others Vs. Baijnath Sharma and Others.)

ii) issue a writ, order or direction in the nature of Mandamus, directing the Respondent no. 2 to 4 to decided the application of the petitioners dated 16.08.2023 to take the note to the grievances of the petitioners and accordingly pass some appropriate orders on the application of the petitioners, so that the proceedings can take place within a specified period and justice may be done to the petitioners."

3. Learned Standing Counsel has raised a preliminary objection that there is a dispute of the petitioner with the respondent No. 6, which cannot be gone into in the present proceedings.

4. In view of the fact that there is a dispute with the private respondent, I am not inclined to interfere in the matter.

5. Accordingly, the petition is **dismissed** with liberty to the petitioner to pursue the remedy available to him under law.

Order Date :- 31.10.2023

Nitika Sri.

(Manish Kumar Nigam, J.)