

Court No. - 47

Case :- WRIT - C No. - 31742 of 2023

Petitioner :- Surendra Kumar

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Kailash Nath Singh

Counsel for Respondent :- CSC, Bhupendra Kumar
Tripathi, Charan Singh

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.
2. The writ petition has been filed for compliance of order dated 19.05.2023 passed by Commissioner (Judicial-First), Varanasi Division, Varanasi in Case No. 177 of 2023 (Surendra Kumar Vs. Tihuri) under Section 333 of U.P.Z.A. & L.R. Act.
3. A preliminary objection has been raised by learned Standing Counsel for the State that the writ petition is not maintainable for execution of orders passed by the Revenue Court 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)**.
4. Accordingly, the writ petition is **dismissed**. However, it is open for the petitioner to avail the remedy as available to him under law.

Order Date :- 2.11.2023

Nitika Sri.

(Manish Kumar Nigam, J.)