

Court No. - 47

Case :- WRIT - C No. - 32761 of 2023

Petitioner :- Indrajeet

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

Counsel for Petitioner :- Kailash Nath Singh

Counsel for Respondent :- C.S.C.

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) Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to ensure the compliance of stay order dated 27.06.2023 passed by the respondent no. 3 in Case No. 6460/2023 (Indrajeet Vs. Sanjay) u/s 116 of U.P. Revenue Code, 2006.

ii) Issue a writ, order or direction in the nature of mandamus restraining the respondents from changing the nature of land in dispute and maintain status quo on the spot."

3. Learned Standing Counsel has raised preliminary objection that writ petition cannot be filed for enforcing the 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)**. The petitioner has an alternative remedy under the provisions of U.P. Revenue Code, 2006 read with C.P.C. which is applicable in the present matter.

4. In view of the same, I am not inclined to interfere in the matter.

5. Accordingly, the writ petition is **disposed of**. However, it is open for the petitioner to pursue the remedy as available to him under law.

Order Date :- 3.11.2023

Nitika Sri.

(Manish Kumar Nigam, J.)