

Court No. - 40

Case :- WRIT - C No. - 40345 of 2023

Petitioner :- Ajeet Kumar Yadav And 2 Others

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

Counsel for Petitioner :- Ranjeet Asthana

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioners and Shri Ambrish Shukla, learned Addl. Chief Standing Counsel.

2. Present writ petition has been preferred for following reliefs:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding to the respondent authorities to take the measurement of traffic police line as per his record and vacate the unauthorized possession from the lands of the petitioner during pendency of the writ petition.

(ii) Issue a writ, order or direction mandamus commanding to the respondents authorities to vacate the land belonging to the petitioners as per chauhadi of their sale deeds in which area of their subjected land are described in the interest of justice in the interest of justice."

3. Considering the facts and circumstances of the case, we find that highly disputed facts have been raised herein this writ petition, which cannot ordinarily be adjudicated under Art.226 of the Constitution of India. If the petitioner is aggrieved, he may invoke the common law remedy as available in law.

4. Once we declined to interfere in the matter, learned counsel for the petitioners precisely submits that he is not inclined to press the writ petition.

5. In view of above, the writ petition is **dismissed** as not pressed.

Order Date :- 14.12.2023

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