

Court No. - 40

Case :- WRIT - C No. - 33050 of 2023

Petitioner :- Madan Mohan Gautam And Another

Respondent :- State Of U.P. And 13 Others

Counsel for Petitioner :- Pawankumar Dubey, Manish Kumar Pathak

Counsel for Respondent :- CSC, Gajendra Kumar Gautam, Krishna Kant Singh, Kumar Anish, R.V. Pandey

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner, learned Additional Chief Standing Counsel for the State-respondents and learned counsel for the contesting-respondents.

2. At the very outset, learned counsel for the contesting-respondents raised a preliminary objection regarding the maintainability of the instant petition by submitting that as the matter is ceased before the learned Single Judge in a writ petition i.e. **WRIT - C No. - 17860 of 2021 (Ramveer And 7 Others Vs. State of U.P. and 6 Others)** and the same is likely to be listed on 09.11.2023. He submits that in case, the petitioner is aggrieved, he may move an appropriate impleadment application in the on-going proceeding.

3. When confronted with above, the learned counsel for the petitioner could not overcome the same.

4. Considering the facts and circumstances of the case as the matter is ceased before the learned Single Judge wherein various affidavits have been exchanged between the parties, we are not inclined to entertain this petition leaving it open to the petitioners to move an appropriate impleadment application before the learned Single Judge in the on-going proceeding.

5. With the aforesaid observations, the instant petition stands ***disposed of.***

Order Date :- 19.10.2023

Sachin