

Court No. - 47

Case :- WRIT - C No. - 32775 of 2023

Petitioner :- Vivek Kumar Singh And 2 Others

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rahul Singh,Ranjeet Asthana

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

Hon'ble Manish Kumar Nigam,J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned Counsel for the parties and perused the record.
3. The present petition has been filed for the following relief:

"i) Issue a writ, order or direction in the nature of certiorari to quash the order dated 6.6.2022 passed by respondent no.2 and order dated 10.09.2022 passed by respondent no.2 which contain as Annexure No.7 & 9 to the writ petition.

ii) Issue a writ, order or direction in the nature of Mandamus commanding to the respondent no.2 not proceed further in case 1619 of 2019 Km Reeta Vs. Mewati Devi and others pending in his court during pendency of the writ petition in the interest of justice."

4. The contention of learned Counsel for the petitioners is that in a pending suit, no interim injunction was granted but on administrative side, an order was passed on 6.6.2022 by the respondent no.2 and that order has been treated to have been passed in the suit itself, therefore, the petitioner filed objections to recall the order and the same have been rejected.

5. A preliminary objection has been raised by learned Standing Counsel that since the objections filed by the petitioners have been rejected, the petitioners have an alternative remedy of filing the appeal/revision against the said order.

6. In view of the above, I am not inclined to interfere in the matter.

7. The writ petition is **dismissed** with liberty to the petitioners to pursue the alternative remedy available under the law.

Order Date :- 24.11.2023

S. Singh