

Court No. - 40

Case :- WRIT - C No. - 34072 of 2023

Petitioner :- Urmila Devi

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

Counsel for Petitioner :- Subhash Chandra

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Subhash Chandra, learned counsel for the petitioner and learned Additional Chief Standing Counsel appearing for the State-respondents.

2. The present petition has been filed with a prayer to direct the respondent no. 2 to vacate the government land (Khad Gadda) Gata No. 438 from the respondent nos. 3 to 5 who was forcibly encroached the land in question situated at village- Gedrahi, Tehsil- Meja, District- Prayagraj.

3. At the outset, learned Addl. Chief Standing Counsel raised a preliminary objection regarding the maintainability of the writ petition on the ground that the reliefs claimed in the writ petition, the same may be pressed before the revenue authorities as full fledged mechanism is provided in the form of Section 67 of the U.P. Revenue Code, 2006 and once alternative remedy is available, there is no reason or occasion to interfere in the matter.

4. Considering the facts and circumstances, the Court has proceeded to examine the record in question and find substance in the objection raised by learned Addl. Chief Standing Counsel. In case, the petitioner has any grievance, he may file appropriate application in view of the aforesaid provisions and, in case, any such application is filed, the same will be decided by the authority concerned in accordance with law expeditiously, preferably within two months from the date of production of certified copy of this order.but certainly after giving opportunity to all the stake holders in the matter.

5. The writ petition is **disposed of** accordingly.

Order Date :- 31.10.2023

Rama Kant