

Court No. - 47

Case :- WRIT - C No. - 34322 of 2023

Petitioner :- Yashveer Singh And Another

Respondent :- Commissioner Moradabad Mandal And 7 Others

Counsel for Petitioner :- Harsh Vardhan Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

1. Heard learned Counsel for the parties and perused the record.

2. The present petition has been filed for the following relief :

"I. Issue a writ, order or direction in the nature of certiorari quashing of the impugned order dated 07.08.2023 passed by Commissioner, Moradabad, Mandal Moradabad in Suit No.1317 of 2023 having computerized Suit No.C202313000001317 (Ramprasad and others Vs. Smt. Munesh and others) dismissing the petitioners appeal under Section 331 U.P.Z.A. & L.R. Act (Annexure No.5 to this writ petition).

II. To issue a writ, order or direction in the nature of mandamus commanding/directing the respondents not to sell or auction or occupy the plot No.235 area about 1.631 hectare situated at Village Bhanpur Khalsa, Tehsil-Dhanaura, District Amroha.

III. To issue a writ, order or direction in the nature of mandamus commanding/directing the respondents not to interfere in peaceful possession of the petitioner plot No.235 area about 1.631 hectare situated at Village Bhanpur Khalsa, Tehsil-Dhanaura, District-Amroha."

3. A preliminary objection has been raised by learned Standing Counsel that against the orders impugned, the petitioners have alternative remedy of filing second appeal before the Board of Revenue under the provisions of U.P.Z.A. & L.R. Act.

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

5. Accordingly, the writ petition is **dismissed** with liberty to the petitioner to avail the remedy available under the law.

Order Date :- 13.10.2023

S. Singh