

Court No. - 4

Case :- WRIT - A No. - 16366 of 2023

Petitioner :- Om Prakash Gangwar

Respondent :- Additional District Magistrate Bareilly And
Another

Counsel for Petitioner :- Sageer Ahmad

Counsel for Respondent :- C.S.C.

Hon'ble Prakash Padia,J.

1. Supplementary affidavit filed today in the Court is taken on record.
2. The petitioner has preferred the present petition challenging the judgement and order dated 25.08.2023 passed by the Rent Authority/Additional District Magistrate Bareilly in Case No.1775 of 2021 (Narendra Kumar Sabena Vs. Om Prakash Gangwar) filed under Section 21(2) of Uttar Pradesh Regulation of Urban Premises Tenancy Act, 2021.
3. Today when the matter is taken up, a preliminary objection has been raised by Sri Dharmendra Prasad, learned counsel appearing on behalf of the State that against the aforesaid order, statutory remedy is available to the petitioner to file an appeal before the Rent Tribunal as provided under Section 35 of the 21(2) of Uttar Pradesh Regulation of Urban Premises Tenancy Act, 2021.
4. Since the statutory remedy is available to the petitioner to file appeal as provided under Section 35 of the 21(2) of Uttar Pradesh Regulation of Urban Premises Tenancy Act, 2021, no relief could be granted to the petitioner.
5. The writ petition is dismissed on the ground of availability of statutory appeal.

Order Date :- 18.10.2023/saqlain