

Court No. - 51

Case :- WRIT - C No. - 33399 of 2023

Petitioner :- Smt. Maganwati

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Prabhat Kumar Srivastava,Prakhar Srivastava

Counsel for Respondent :- C.S.C.,Avinash Chandra Srivastava

Hon'ble Chandra Kumar Rai,J.

1. Mr. Avinash Chandra Srivastva, learned counsel for the respondent- Gaon Sabha and learned Standing Counsel for the State-respondents are present.

2. The instant petition has been filed for mandamus directing respondent authorities to restrain the private respondent no.6 (Ram Singh) not to construct the illegal wall over the land belonging to the petitioner, which comes in the share of the petitioner in the proceeding already taken place under Section 176 of U.P.Z.A. & L.R. Act as well as for taking action against the private respondent.

3. Perusal of the averment made in the writ petition reveals that there is private dispute between the petitioner and respondent no.6. The private dispute cannot be settled in exercise of jurisdiction under Article 226 of the Constitution of India.

4. The writ petition is misconceived and ***dismissed accordingly.***

Order Date :- 16.10.2023

Rameez