

Court No. - 40

Case :- WRIT - C No. - 33588 of 2023

Petitioner :- Shashi Maurya

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Vipin Chandra Pal,Akshay Gupta

Counsel for Respondent :- CSC,Aushim Luthra,Rishabh Singh

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Sri Akshay Gupta, learned counsel for the petitioner, Sri F.A. Ansari, learned Standing Counsel for the State respondent nos.1 to 3 and Sri Aushim Luthra, learned counsel for respondent nos.4 to 7.

2. Present writ petition has been filed for the following reliefs:-

"(a). issue a writ, order or direction in the nature of mandamus commanding and directing the respondent authorities concerned to lodge the first information report against the respondent nos.4 to 7 forthwith in accordance with law.

(b). issue a writ, order or direction in the nature of mandamus commanding and directing the respondent authorities concerned to take the appropriate decision over the grievance of the petitioner forthwith within prescribed period as directed by this Hon'ble Court."

3. Sri Aushim Luthra, learned counsel for the contesting respondents has raised an objection that there is plethora of litigation between the parties and no detail has been furnished while filing the present writ petition regarding previous litigation and the writ petition is liable to be dismissed.

4. Grievance of the petitioner is that the private respondents are harassing the petitioner and there is a dispute between the parties. In view of private dispute, we cannot come to the rescue of petitioner.

5. Accordingly the writ petition is dismissed but it is always open to the petitioner to avail the remedy provided for under the Code of Civil Procedure/Code of Criminal Procedure.

Order Date :- 2.11.2023

S.P.