

Court No. - 47

Case :- WRIT - C No. - 39171 of 2023

Petitioner :- Javahir

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

Counsel for Petitioner :- Aradhana Singh, Ravi Pratap Narayan Singh

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.
2. The present petition has been filed with the following prayer:

"A. Issue a writ, order or direction in the nature of mandamus directing the respondent authorities especially respondent no.2 for to evict the any encroached Gata No.355M, Area 0.012H as a residential patta in the revenue record situated in Village Unchgaon, Pargana Anguli, Tehsil-Shahganj, District Jaunpur with immediate effect.

B. Issue a writ, order or direction in the nature of mandamus directing the respondent no.2 to decide the application dated 20.07.2023 pending before him."

3. Learned Standing Counsel has raised a preliminary objection that the dispute of the petitioner is with the private persons. In any case, the revenue code is a complete code for redressal of grievances in view of the judgments passed by this Court in case of ***Jahar Singh v. State of U.P.*** reported in **2017(4) ADJ 619** and in ***Public Interest Litigation (PIL) No.2117 of 2023 (Kanhaiya Lal vs. State of U.P. and 14 others)***, decided on 27.9.2023.

4. Since the petitioner has an alternative remedy, I am not inclined to entertain the instant petition.

5. The writ petition is **disposed of** with liberty to the petitioner to move an appropriate application under the U.P. Revenue Code, 2006 for redressal of his grievances before the competent authority and in case, any such application is moved, the same shall be considered and decided expeditiously preferably within a period of three months from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

Order Date :- 4.12.2023/S. Singh

