

Court No. - 52

Case :- WRIT - C No. - 34654 of 2023

Petitioner :- Manoj Kumar

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

Counsel for Petitioner :- Devi Prasad Singh

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

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Devi Prasad Singh, learned counsel for petitioner and Sri Dhananjay Singh, learned Standing Counsel for the State-respondent nos.1 to 3 as well as Sri Bhupendra Kumar Tripathi, learned counsel for respondent no.4.

2. The present petition has been filed for seeking direction in the nature of mandamus to be issued to the respondent no.2 to take necessary and legal action and set up an inquiry in pursuance of the forgery, cheating and fraud committed by the respondent no.4 for granting residential patta and also seize the financial and administrative powers of the present Gram Pradhan/Chairman, Land Management Committee in pursuance of misuse of fund of concerned Gram Sabha in MAGNREGA.

3. At the very outset, learned Standing Counsel raised a preliminary objection regarding maintainability of this petition and submitted that no writ petition can be preferred for seeking specific orders for directing the concerned respondent to seize the financial and administrative powers of the present Gram Pradhan/Chairman, Land Management Committee since the provisions contained in the U.P. Panchayati Raj Act, 1947 is directly under play for redressal of the grievances as raised through the present petition, moreover the petitioner has an alternative remedy to pursue the matter before the competent authority i.e. respondent no.2.

4. Accordingly, the present petition stands **disposed of** with alternative remedy as available to the petitioner in accordance with law.

Order Date :- 17.10.2023

Vivek Kr.