

Court No. - 47

Case :- WRIT - C No. - 34701 of 2023

Petitioner :- Munshi And 2 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Vikrant Pandey, Gaurabh Srivastava, Sanjay Kumar Upadhyay

Counsel for Respondent :- C.S.C., Arun Kumar Pandey

Hon'ble Manish Kumar Nigam, J.

1. This writ petition has been filed for following reliefs:-

"i. Issue a writ, order or direction in the nature of certiorari to call for the record of the case and to quash the order dated 25.05.2020 passed by respondent no.3 dismissing the suit under section 229B Uttar Pradesh Zamindari Abolition and Land Reforms Act (Annexure No.1 to the writ petition).

ii. Issue a writ, order or direction in the nature of mandamus directing the respondent no.3 to decide the suit filed by fathers of petitioner no.1 and 2 on merit after substituting proper legal heirs of the deceased plaintiffs."

2. A preliminary objection has been raised by the learned counsel appearing for the State that petitioners have an alternative remedy for filing an appeal under Section 331 of the U.P. Z.A. & L.R. Act.

3. In view of the same, I am not inclined to interfere in the matter.

4. The writ petition is ***dismissed*** with liberty to the petitioners to avail the alternative remedy as available to them under the U.P. Revenue Code, 2006.

Order Date :- 17.10.2023

Vipasha

(Manish Kumar Nigam, J.)