

Court No. - 40

Case :- WRIT - C No. - 35182 of 2023

Petitioner :- Sushil Goswami

Respondent :- State Of U.P. And 17 Others

Counsel for Petitioner :- Mahesh Narain Singh, M.N. Singh

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner and Sri F.A. Ansari, learned Additional Chief Standing Counsel for the State respondents.

2. By means of present writ petition the petitioner has prayed for quashing the order dated 03.10.2023 passed by Additional City Magistrate, Civil Lines, Meerut by which permission was accorded to hold Ram Leela on the disputed site.

3. Sri F.A. Ansari, learned Additional Chief Standing Counsel raised an objection regarding maintainability of the writ petition on the ground that Ram Leela has already been held on the disputed site, therefore, cause of action no more survives and the disputed fact cannot be adjudicated in writ jurisdiction under Article 226 of the Constitution of India.

4. After substantial arguments, once the Court has declined to entertain the writ petition, Sri M.N. Singh, learned counsel for the petitioner fairly states that he is not inclined to press this writ petition at this stage and the same may be dismissed as not pressed. However, leave may be accorded to the petitioner to agitate the grievance at the appropriate stage.

5. With the aforesaid leave, the writ petition stands disposed of.

Order Date :- 31.10.2023

S.P.