

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16766 of 2023

Petitioner :- Vijay Pal Singh Meena

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Azaz Ahmad

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Challenge in the writ petition is to a notice under Section 2/3 of U.P. Control of Goondas Act, 1970 issued to the petitioner as also the order of externment passed on its basis.

Since consequent to the notice and after considering the reply of the petitioner to the notice, the order of externment has been passed, the notice had worked itself out. Therefore, challenge to the notice is not tenable.

In so far as challenge to the order of externment is concerned, the petitioner has a statutory alternative remedy of filing an appeal before the Commissioner concerned as provided under Section 6 of the Act. This statutory alternative remedy has not been availed by the petitioner.

Under the circumstances, the writ petition is dismissed on the ground of availability of statutory alternative remedy, which the petitioner may, in case, so advised, avail for redressal of his grievances.

Order Date :- 27.10.2023

M. Tarik