

Court No. - 47

Case :- WRIT - C No. - 37252 of 2023

Petitioner :- Dharmendra Kumar Bharati

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Krishna Kumar Chaurasia

Counsel for Respondent :- CSC, Ashish Srivastava

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. The present writ petition has been filed seeking following relief :-

"i) Issue a writ, order or direction in the nature of Certiorari for quashing the order dated 9.3.2023 passed by Sub-Divisional Magistrate, Tehsil - Salempur, District Deoria (Annexure 10 of the writ petition).

ii) Issue a writ, order or direction in the nature of mandamus directing the respondents not to restrain petitioner from sowing fish seeds in the pond or for fishing in the pond no. 100 area 1.060 hectare situated in Village - Sisae, Post - Pipara Tappa Sathiawan P.S.M., Tehsil - Salempur, District - Deoria till the disposal of present writ petition before this Hon'ble Court.

iii) Issue a writ, order or direction in the nature of mandamus directing the respondents to issue R.C. Form No. 15 in favour of petitioner."

3. Learned Standing Counsel has raised a preliminary objection that the petitioner has an alternative remedy of filing an appeal as well as of revision under provisions of the Uttar Pradesh Revenue Code, 2006.

4. Since the petitioner has an alternative remedy, this Court is not inclined to entertain the instant petition.

5. In view of the above, this writ petition stands disposed of with liberty to the petitioner to avail alternative remedy as provided to him under law.

Order Date :- 30.10.2023

Rishabh

[Manish Kumar Nigam, J.]