

Court No. - 47

Case :- WRIT - C No. - 36276 of 2023

Petitioner :- Kolai Yadav And Another

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

Counsel for Petitioner :- Mahendra Singh

Counsel for Respondent :- C.S.C.,Sudhir Bharti

Hon'ble Manish Kumar Nigam,J.

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

2. This writ petition has been filed for the following relief:

"i) Issue a writ order or direction in the given of Mandamus Commanding and direct to Respondent Authority to given the possession over the Residential Lease Land in Petitioner's Arazi No. 387M, Area 0.02 Dismal to each petitioner, which was approved by Respondent No. 2 on 23.09.2023, while allotted the patta by Land Management Committee on 27.07.2023 and approval dated 18.11.87."

3. Learned Standing Counsel has raised a preliminary objection that in case the petitioner has dispossessed from his land, the remedy is available to the petitioner to move an application under Section 129 of U.P. Revenue Code, 2006.

4. In view of the alternative remedy available to petitioner, I am not inclined to interfere in the matter.

5. However, in case, the petitioner moves an application under Section 129 of the U.P. Revenue Code, 2006, before the authority concerned, the same shall be considered and decided expeditiously, in accordance with law.

6. With the aforesaid observation, the writ petition is disposed of.

Order Date :- 18.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)