

Court No. - 47

Case :- WRIT - C No. - 36544 of 2023

Petitioner :- Shatrudhan Chaurasiya And Another

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Gautam,Manoj Kumar Singh,Mohd. Shamim

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

"i) To issue a writ, order or direction in the nature of mandamus directing/commanding the Respondent authorities to remove the illegal encroachment and dispossess the respondent Nos. 6 & 7 from the Gaon Sabha Land bearing Plot No. 268Ga/0.0240 hec. recorded as banjar land in the revenue record in view of the law laid down by the Hon'ble Apex Court in case of Jagpal Singh and others Vs. State of Punjab and others, reported in 2011(113)RD 329."

3. Learned Standing Counsel has raised a preliminary objection that petitioner has an alternative remedy to approach appropriate authority by moving an application under Section 67 of the Uttar Pradesh Revenue Code, 2006 in view of the judgment passed by this Court in **Jahar Singh v. State of U.P. reported in 2017(4) ADJ 619.**

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

5. In case, the petitioner moves an application under Section 67 of Uttar Pradesh Revenue Code, 2006 before appropriate authority, the same shall be considered and decided after hearing all the concerned parties, in accordance with law.

6. With the aforesaid observation, the petition stands disposed of.

Order Date :- 26.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)