

Court No. - 40

Case :- WRIT - C No. - 38609 of 2023

Petitioner :- Harinarayan

Respondent :- State Of U.P.And Another

Counsel for Petitioner :- A.P. Singh

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Ms. Sangeeta Gupta, learned counsel for the petitioner and Ms. Subhra Singh, learned Standing Counsel for the State respondents.

2. Present writ petition has been preferred for a direction to respondent no.2-Tehsildar, Tehsil Padrauna, Distt. Kushinagar to issue Scheduled Caste Certificate in favour of the petitioner as per the settled law.

3. At the very outset, learned Standing Counsel raised an objection regarding the maintainability of the writ petition on the ground that for the relief claimed in the writ petition, the petitioner has got alternative efficacious remedy to approach before the District Level Caste Scrutiny Committee at the first instance. Once alternative remedy is available, there is no reason or occasion to byepass the same and as such the writ petition is liable to be dismissed.

4. We have proceeded to examine the record in question and find substance in the objection raised by learned Standing Counsel and as such we are not inclined to interfere in the matter at this stage. Needless to say, if the petitioner is aggrieved, he may avail the remedy as available in law.

5. The writ petition stands **disposed of** accordingly.

Order Date :- 8.11.2023

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