Court No. - 47

Case :- WRIT - C No. - 37274 of 2023

Petitioner :- Virendra
Respondent :- State Of U.P. And 7 Others
Counsel for Petitioner :- Anoop Singh
Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

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

2. The present petition has been filed for the following relief :

> *"(i) Issue a writ, order or direction in the nature of mandamus commanding the respondent No.2 to decide the application dated 30.9.2023 pending before the respondent no.2 (Annexure IV) and further directed the respondent no.2 to remove the encroachment over the land in question, during the pendency of present writ petition."*

3. A preliminary objection has been raised by the learned Standing Counsel that by means of the present representation, the petitioner seeks to settle his dispute with the private respondents, which is not permissible.

4. In view of the above, I am not inclined to interfere in the matter.

5. At this stage, learned Counsel for the petitioner states that he has filed a partition suit, which is pending. In case, such a suit is pending, the petitioner is given liberty to move an appropriate application in the aforesaid suit for redressal of his grievance ..

6. With these observations, the writ petition is **dismissed**.

Order Date :- 20.11.2023
S. Singh

Digitally signed by :-
SAVITA SINGH
High Court of Judicature at Allahabad