

Court No. - 40

Case :- WRIT - C No. - 38054 of 2023

Petitioner :- Shyam Babu Patel And 3 Others

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

Counsel for Petitioner :- Amit Kumar Mishra,Dheeraj Kumar
Tiwari

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and Sri S.C.Upadhyay, learned Standing Counsel for the State-respondent.
2. The present writ petition has been preferred for a mandamus directing the respondent no. 2 to decide the application of the petitioner dated 3.10.2023 for lodging the FIR against the accused persons and further direction be issued to permit the petitioner to take out all the brick from the brick-kiln in question otherwise would cause irreparable loss to the petitioners.
3. After substantial arguments once the Court has declined to interfere on the ground as the claim set up before us is having civil consequences which can not be dealt under writ jurisdiction, learned counsel for the petitioner fairly states that he is not inclined to press the writ petition and the same may be dismissed as not pressed.
4. Consequently, the writ petition is dismissed as not pressed in terms of the aforesaid.

Order Date :- 3.11.2023

A.K.Srivastava