

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16850 of 2023

Petitioner :- Priyanka

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vikash Chandra Tiwari

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Manoj Bajaj,J.

Heard learned counsel for the petitioner and learned AGA for the State.

The writ petition seeks the following relief:-

"i. issue a writ, and or direction in the nature of mandamus commanding the Respondents to release the portion of the property (as specified in order dated 31.07.2023 passed by respondent no.2 in Case No. 2/2023 titled Priyanka Tanwar Vs. State) i.e. one room, one lavatory, one bathroom & one kitchen) situated at KCE-8 and KCE-12 Kavinagar, PS-Kavinagar, District- Ghaziabad in favour of the petitioner."

It appears that the property mentioned in the relief clause quoted above has been seized under Section 14(1) of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986.

Against such seizer, the petitioner has a statutory alternative remedy of filing an objection/representation as provided under Section 15(1) of the Act. This statutory alternative remedy has not been availed by the petitioner.

Under the circumstances, this writ petition is dismissed on the ground of availability of statutory alternative, which may, in case, the petitioner, so advised, avail for redressal of her grievances.

Order Date :- 28.10.2023

Mayank