

Court No. - 32

Case :- WRIT - C No. - 37345 of 2023

Petitioner :- Him Sharma

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

Counsel for Petitioner :- Lalit Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Salil Kumar Rai,J.

Hon'ble Surendra Singh-I,J.

1. The grievance of the petitioner in the present petition is that he has been illegally evicted from plot nos. 26 and 107 by respondent nos. 5 and 6 despite order dated 04.08.2023 passed by the Civil Judge (Senior Division), Hathras, in Original Suit No. 286 of 2022 granting a temporary injunction in favour of the petitioner and restraining the respondent nos. 5 and 6 from dispossessing the petitioner from the suit property.

2. On the basis of aforesaid grievance, the petitioner prays that the respondents, district and police authorities be directed to get the possession of the disputed plots restored to the petitioner in compliance of the order dated 04.08.2023 passed by the civil court.

3. The dispute in the present petition is a private dispute and involves issues of facts which can be determined by the civil court on evidence produced by the parties. No question of public law arises so as to warrant interference by this Court under Article 226 of the Constitution of India.

4. The petition is dismissed.

5. The petitioner may institute appropriate proceeding before the concerned civil court for the reliefs as advised.

Order Date :- 30.10.2023

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