

Court No. - 32

Case :- WRIT - C No. - 39416 of 2023

Petitioner :- Khemraj

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Maya Ram, Manish Patel

Counsel for Respondent :- C.S.C.

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

The grievance of the petitioner in the present petition is that the respondent No. 5 has illegally and by using criminal force has taken possession of the Bhumidhari plot of the petitioner. It is also the grievance of the petitioner that respondent No. 5 is acting indecently with the women in the family of the petitioner.

The issue does not raise any question of public law, and therefore, it is not a fit case for interference by this Court under Article 226 of the Constitution of India. So far as eviction of respondent No. 5 is concerned, the petitioner has the remedy to institute appropriate eviction proceedings against respondent No. 5 before appropriate court and also get registered first information report against respondent No. 5 for any criminal act done by respondent No. 5 in relation to the family members of the petitioner.

In view of the aforesaid availability of alternative remedy to the petitioner, it is not a fit case for interference under Article 226 of the Constitution of India.

The petition is ***dismissed***.

Order Date :- 16.11.2023

Anurag/-