

Court No. - 47

Case :- WRIT - C No. - 38072 of 2023

Petitioner :- Khayazuddin Alias Phayazuddin

Respondent :- State Of Uttar Pradesh And 2 Others

Counsel for Petitioner :- Chandra Bhushan Singh, Punita Singh

Counsel for Respondent :- C.S.C., Sunil Kumar Singh

Hon'ble Manish Kumar Nigam, J.

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

2. This writ petition has been filed for the following relief:-

"(I). Issue a writ order, rule or direction in the nature of certiorari quashing the impugned order of Assistant Collector, First/Tehsildar (Judicial), Tehsil Khurja, District Bulandshahar, respondent no.2, dated 22.07.2023 (Annexure '6' o the Writ Petition).

(II). Issue a writ, order, rule or direction in the nature of mandamus directing the respondents not to interfere in the peaceful possession and use of the petitioner over the Plot No. Old 658 New No.1279 (area 140 sq. yard) purchased by him through registered sale deed dated 09.09.2010, from its owner in possession."

3. Learned Standing Counsel has raised a preliminary objection that against the order passed under Section 67 of the U.P. Revenue Code, 2006, petitioner has an alternative remedy of filing an appeal.

4. In view of the above, I am not inclined to entertain the instant petition.

5. Accordingly, the writ petition is **dismissed** with liberty to the petitioner to avail an alternative remedy as provided under Section 67(5) of the U.P. Revenue Code, 2006.

Order Date :- 3.11.2023

Mini

(Manish Kumar Nigam, J.)