

Court No. - 6

Case :- WRIT - C No. - 37710 of 2023

Petitioner :- Salim Ahmad Khan

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

Counsel for Petitioner :- Binod Kumar Tripathi

Counsel for Respondent :- CSC, Krishna Kant Singh

Hon'ble Mrs. Manju Rani Chauhan, J.

List is revised. Learned counsel for the petitioner is not present.

Perusal of record reveals that the petition has been preferred challenging an order dated 25.07.2023 passed by the District Magistrate, Etah, vide which the orders have been passed in favour of Gram Pradhan.

Learned Standing Counsel points out that the petitioner is a social worker, who has made complaint against the Gram Pradhan that he is associated in embezzlement of government funds as no street lights have been installed in the village. He further submits that the petitioner being complainant has no locus to file such petition, therefore, this writ petition is not maintainable. In support of their contention, learned counsel for the petitioners has relied upon a judgement of the Full Bench in the case of **Vivekanand Yadav v. State of U.P. and another, 2010 (10) ADJ 1 (FB)** and a judgement of co-ordinate Bench of this Court in the case of **Narendra Kumar v. State of U.P. and Ors., 2013(1) ADJ 228**. However, learned Standing Counsel informs that the enquiry has already been concluded in the matter.

Admittedly, the petitioner is a complainant and as per the settled law he has no locus to file a writ petition praying for the relief as claimed in the instant writ petition. Thus, the writ petition is dismissed as not maintainable.

No order as to costs.

Order Date :- 29.11.2023

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