

Court No. - 51

Case :- WRIT - C No. - 37684 of 2023

Petitioner :- Rajesh Maurya

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Dharmendra Kumar Dwivedi

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1.Heard learned counsel for the petitioner and Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents.

2.The instant petition has been filed for the following relief:

"(A)Issue a writ, order or direction in the nature of mandamus directing respondent Nos. 2 and 3 to remove the public path (Khadanza) built by the neighbor of the petitioner upon the Abadi of the petitioner at own expenses"

3. Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents submitted that dispute appears to be private in nature. He further placed annexure No.1 annexed along with the writ petition as well as application filed on behalf of the petitioner before Sub Divisional officer which demonstrate that dispute is private in nature.

4. Considering the entire facts and circumstances of the case, writ petition cannot be entertained by this Court in exercise of jurisdiction under Article 226 of the Constitution of India to settle the private dispute between parties.

5. Writ petition is misconceived and dismissed accordingly.

Order Date :- 5.12.2023

PS*