

Court No. - 47

Case :- WRIT - C No. - 38402 of 2023

Petitioner :- Bhuri Devi

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Bhanu Pratap Pal, Mohammad Fateh

Counsel for Respondent :- CSC, Sher Bahadur Singh

Hon'ble Manish Kumar Nigam, J.

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

2. The instant petition has been filed seeking following relief :-

"i) Issue a writ, order or direction in the nature of mandamus directing the concerned respondent authority to evict the illegal encroachment/possession by the respondent No.6 and 7 over the Arazi No.127 area 2 Bigha which was allotted by the Government of India vide dated 18.01.1964 apart from other land of Gaon Sabha over the Gata No.127 area 2 Bigha situated at Village Jarainda, Pargana - Islamnagar, Tehsil - Bisauli, District - Budaun.

ii) Issue a writ, order or direction in the nature of mandamus directing the concerned respondent authority to take appropriate action over the grievance of petitioner in respect of Gata No.127 area 2 Bighas which is situated at Village - Jarainda, Pargana - Islamnagar, Tehsil - Bisauli, District - Budaun."

3. A preliminary objection has been raised by learned Standing Counsel that petitioner has an alternative remedy available either u/s 129 or u/s 134 of the U.P. Revenue Code, 2006.

4. In view of the same, this Court is not inclined to interfere with the matter.

5. However, petitioner is at liberty to avail alternative remedy as provided to him under the law.

6. With these observations, the writ petition stands **disposed of**.

Order Date :- 7.11.2023

Rishabh

[Manish Kumar Nigam, J.]