

Court No. - 47

Case :- WRIT - C No. - 37974 of 2023

Petitioner :- Sheeshpal And Another

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Parul Srivastava, Namit Srivastava

Counsel for Respondent :- CSC, Krishna Kant Singh

Hon'ble Manish Kumar Nigam, J.

1. Sri Akash Kumar Pathak, Advocate holding brief of Sri Namit Srivastava, learned counsel for the petitioner prays for adjournment.

2. Prayer made so, is rejected, as a matter earlier also adjourned on the request of learned counsel for the petitioner.

3. The instant writ petition has been filed for following relief:

"(I) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 03 to ensure the removal of illegal encroachment by the respondent no.5 to 8 over the Gata No.1451/1 and 1451/2 recorded as Palwal Road, District Aligarh.

(II) Issue a writ, order of direction in the nature of mandamus directing District Magistrate, Aligarh to pass appropriate order on the application of the petitioners dated 16.09.2023."

4. Learned counsel for the petitioner has pointed out that from the perusal of the prayer as well as representation of the petitioner, filed at page 28, it appears that petitioner has dispute with a private individual.

5. Learned Standing Counsel raised a preliminary objection that such a writ petition is not maintainable for a private dispute and in the garb of the present petition the petitioner wants to settle his private dispute.

6. In view of the above, I am not inclined to interfere in the matter.

7. Accordingly, the petition is dismissed with liberty to the petitioner to seek relief as available to him under law.

Order Date :- 23.11.2023/Priya