

Court No. - 6

Case :- WRIT - C No. - 37784 of 2023

Petitioner :- Shiv Phal Singh

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Kamlakar Pal, Sakshi Srivastava

Counsel for Respondent :- C.S.C., Achal Singh

Hon'ble Mrs. Manju Rani Chauhan, J.

The petitioner is a complainant. He has filed instant petition for a direction upon respondent authorities to enquire into the matter through Technical Advisory Committee in respect of alleged irregularities committed by Village Pradhan concerned in development works of Gram Sabha Samshuddinpur, Block & Tehsil Baberu, District Banda.

On the basis of instructions, learned Standing Counsel submits that the enquiry has already been conducted on the complaint made by the petitioner. Even otherwise, the petitioner being complainant has no locus to file such petition, therefore, this writ petition is not maintainable. In support of his contention, learned Standing Counsel 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. an Ors., 2013(1) ADJ 228.**

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.

No order as to costs.

Order Date :- 12.12.2023

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