

Court No. - 47

Case :- WRIT - C No. - 37960 of 2023

Petitioner :- Nagendra Kumar Rai

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

Counsel for Petitioner :- Prakash Chandra Shukla, Ramendra Shukla

Counsel for Respondent :- C.S.C., Sudhir Bharti

Hon'ble Manish Kumar Nigam, J.

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

2. This writ petition has been filed for the following relief:-

"(i) Issue a suitable writ, order or direction in the nature of Certiorari to quash the judgment and order dated 07.08.2023 passed by District Magistrate, Kushinagar in Appeal No.985 of 2022 Computer No.D202205440000985 Arvind Singh Vs. Gram Sabha.

(ii) Issue a suitable writ, order or direction in the nature of Mandamus directing the respondents to implement the judgment and order of the Tehsildar Tehsil Kasya dated 29.06.2022 passed in Case No.00221/2020 Computer No.T20200540400221, Gram Sabha Vs. Arvind Singh under Section 67 of the U.P. Revenue Singh under Section 67 of the U.P. Revenue, 2006 so that justice may be done."

3. Learned Standing Counsel has raised a preliminary objection that the petitioner was not a party to the proceedings before the court below and as such he has no locus to file the present petition.

4. Learned counsel for the petitioner submitted that he has filed objection in the appeal and when asked by the court whether he was impleaded as a party in the appeal or has moved any application for impleadment in the appeal. Learned counsel for the petitioner stated that he was neither party to the appeal nor has moved any impleadment in the appeal, which has been decided.

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

6. Accordingly, this writ petition is **dismissed**.

Order Date :- 3.11.2023

Mini

(Manish Kumar Nigam, J.)