

Court No. - 85

Case :- WRIT - C No. - 38744 of 2023

Petitioner :- Rabiya And Another

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

Counsel for Petitioner :- Rama Shankar Mishra, Radhey Shyam Tripathi, Ramendra Kumar Tripathi

Counsel for Respondent :- C.S.C., Ramesh Kumar Pandey

Hon'ble Mayank Kumar Jain, J.

Vide counter affidavit this fact is brought to the knowledge of the Court by Sri Ashwani Kumar Tripathi, learned Addl. C.S.C. that the petitioner no.2 is already married with one Rajia, who is deponent in the counter affidavit and he has four children from the first marriage while in writ the petition it is averred that this is his first marriage. It appears that this petition is filed on the basis of wrong facts concealing the true facts.

In view of above facts, the writ petition is dismissed with cost of Rs.50,000/- upon the petitioners for misusing the process of law.

Interim order, if any, stands vacated.

The Chief Judicial Magistrate, Moradabad is directed to realise the amount of cost from the petitioners and deposit the same to the District Legal Services Authority, Moradabad.

Order Date :- 12.12.2023

Mohit