

Court No. - 47

Case :- WRIT - C No. - 40298 of 2023

Petitioner :- Ved Prakash Mishra

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

Counsel for Petitioner :- Chandra Bhan

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Manish Kumar Nigam, J.

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

2. The present petition has been filed with the following prayer:

"(i). Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 22.08.2022 passed by the District Magistrate, Jaunpur.

(ii) Issue a writ, order or direction in the nature of mandamus commanding/directing the respondent no.2 and 3 to restrain the respondent No.4 to 5 for making construction/possession over the public utility land bearing Gata No.293 Area 0.42 Hectare, reserved for removing skin of dead animal and Gata No.294 area 2.84 Hectare reserved for grazing yard in the revenue record and its comes under category of 6-4, Village Panchayat-Ghurahupur Tehsil-Kerakat, District Jaunpur."

3. Learned Standing Counsel has raised a preliminary objection that the petitioner has an alternative remedy to approach appropriate authority by moving an application under Section 67 of the Uttar Pradesh Revenue Code, 2006 in view of the judgments passed by this Court in case of **Jahar Singh v. State of U.P. reported in 2017(4) ADJ 619** and in **Public Interest Litigation (PIL) No.2117 of 2023 (Kanhaiya Lal vs. State of U.P. and 14 others)**, decided on 27.9.2023.

4. Since the petitioner has an alternative remedy, I am not inclined to entertain the instant petition.

5. In case, the petitioner moves an application under Section 67 of Uttar Pradesh Revenue Code, 2006, before appropriate authority, the same shall be decided after hearing all the concerned parties in accordance with law.

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

Order Date :- 1.12.2023

S. Singh

