

Court No. - 51

Case :- WRIT - C No. - 38714 of 2023

Petitioner :- Radhey Shyam

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

Counsel for Petitioner :- Devid Kumar Singh, Divyansh Rai, Prateek Rai

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai, J.

1. Heard Mr. Divyansh Rai, learned Counsel for the petitioner and Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents.

2. The instant petition has been filed for mandamus commanding the respondent nos. 2 and 3 for taking action against private respondent no.4 from interfering in the peaceful possession of the petitioner in respect to Khata No. 120, Khasra No.65 Gha, area 0.1060 hectare situated at Village Manikpur, Tehsil Saidabad District Hathras.

3. Counsel for the petitioner submitted that private respondent no.4 is interfering in the peaceful possession of the petitioner, as such, petitioner filed an application/ representation before respondent nos. 2 and 3 but no steps has been taken by respondent nos. 2 and 3 hence this writ petition.

4. Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents submitted that dispute appears to be private in nature, as such, no interference is required in the matter.

5. I have considered the arguments advanced by learned Counsel for the parties and perused the records.

6. The perusal of the representation/ application dated 13.10.2023 filed by the petitioner as well as the averment made in the writ petition reveals that there is private dispute between the petitioner and respondent no.4. The private dispute cannot be settled by this Court in exercise of jurisdiction under Article 226 of the Constitution of India.

7. Writ petition is accordingly **dismissed**.

Order Date :- 29.11.2023

Vandana Y.