

Court No. - 90

Case :- APPLICATION U/S 482 No. - 41480 of 2023

Applicant :- Kalawati Devi

Opposite Party :- State Of U.P. And 5 Others

Counsel for Applicant :- Aamir Nizam, Shabana Nizam

Counsel for Opposite Party :- G.A., Ram Janam Shahi

Hon'ble Dinesh Pathak, J.

1. Heard learned counsel for the applicant, learned counsel for the opposite party Nos. 2 to 5 and learned A.G.A. for the State.
2. The present applicant has invoked the inherent power of this Court under Section 482 Cr.P.C. to assail the order dated 22.07.2023 passed by learned Special Judge (SC/ST Act) Azamgarh, whereby complaint moved on behalf of the present applicant has been rejected.
3. Learned counsel for the opposite party no.2 has raised a preliminary objection with respect to the maintainability of the instant application under Section 482 Cr.P.C. on the ground of availability of the alternative remedy to approach before the appropriate forum.
4. I found substance in the submission as raised by learned counsel for the opposite parties.
5. As such, instant application is rejected on the ground of availability of alternative remedy as advanced.
6. Office is directed to return the certified copy of the impugned order to the learned counsel for the applicant after retaining the photostat copy of the same on record.

Order Date :- 5.12.2023

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