

Court No. - 40

Case :- WRIT - C No. - 39326 of 2023

Petitioner :- Sonu and another

Respondent :- State Of U.P. and 6 Others

Counsel for Petitioner :- Santosh Kumar Pandey, Rajendra Kumar Dubey

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioners and learned Standing Counsel for the State respondent nos.1 to 6.

2. Present writ petition is preferred seeking following reliefs:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent Nos.1 to 6 to ensure security and safety of the petitioners, which is provide in Article 21 of the Constitution of India.

(ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent Nos.1 to 6 taking coercive action against the respondent no.7 (Girish Chandra Gautam, S.H.O., Police Station Hathras Junction, Hathras), who was culprit for harassing the petitioners for gaining money in the aforesaid case.

(iii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent Nos.1 to 6 to make High Level Enquiry Committee for inquiring the matter regarding the harassing the petitioners for gaining money and try to false implication in the case.

(iv) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent Nos.1 to 6 to not harass the petitioners in any manner on the pressure of respondent no.7 (Girish Chandra Gautam, S.H.O., Police Station Hathras Junction, Hathras) or due process of law."

3. Learned counsel for the petitioners states that the petitioners are very poor persons and they are doing labour work for their livelihood. The Station House Officer, Police Station Hathras Junction, Hathras (respondent no.7) is threatening the petitioners to implicate them in false cases and due to harassment of the respondent no.7, they are not doing their labour work. So far as the grievance of the petitioners is concerned, they have already filed a representation dated 28.08.2023 before the respondent no.1 for redressal of their grievance, which is still pending. He has confined his prayer only to the relief that the petitioners' representation dated 28.08.2023 may be considered by the appropriate authority.

4. Learned counsel for the respondents has no objection to the said prayer.
5. No useful purpose would be served in keeping the writ petition pending.
6. In view of above, without expressing any opinion on the merits of the issue and considering the facts and circumstances of the case, this writ petition is disposed of finally giving liberty to the petitioner to move a fresh representation before the concerned Sub Divisional Officer within two weeks from today. In case any such representation is moved within the said period, the same shall be considered and decided by the competent authority in accordance with law within next four weeks, after hearing all the stakeholders in the matter.

Order Date :- 1.12.2023

RKP