

Court No. - 32

Case :- WRIT - C No. - 42582 of 2023

Petitioner :- Rajesh Kumar Tripathi Alias Rajesh And 3 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Gulab Chandra, Rupesh Kumar Singh

Counsel for Respondent :- C.S.C

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

Heard the counsel for the petitioners.

The grievance of the petitioners in the present petition is against the order dated 29.8.2023 passed by the Deputy Director Ranpur Tiger Reserve / Divisional Forest Officer, Chitrakoot, Uttar Pradesh, i.e., respondent no. 2 whereby respondent no. 2 has rejected the claim of the petitioners over the disputed plot, i.e., Plot Nos. 798/2 and the respondent no. 2 has held that the petitioners have encroached over areas of Plot No. 798/2.

The issue raised in the present petition involves disputed questions of fact regarding title of the petitioners over the area occupied by them which can only be decided on evidence and, therefore, it is not a fit case for interference by this Court under Article 226 of the Constitution of India.

The petitioners have the remedy to institute appropriate proceedings before the civil court. The prayer to quash the order dated 29.8.2023 is, hereby, rejected.

The petition is ***disposed of*** with the liberty to the petitioners to exercise the remedy referred above.

Order Date :- 15.12.2023

Vipasha