

Court No. - 47

Case :- WRIT - C No. - 40198 of 2023

Petitioner :- Smt. Shivdhara

Respondent :- State Of U.P. And 9 Others

Counsel for Petitioner :- Nagendra Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

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

2. The writ petition has been filed for the following reliefs:

"1. - To issue a writ of mandamus to the respondent no. 3, Sub Divisional Magistrate, Tehsil Gunnaur, District Sambhal, to restore or repair the possession of the petitioner as per patta allotted to her over Gata No. 15 Mi, Area 0.443 hectare, under section 198 of U.P.Z.A.L.R. Act, situate in Village Ganeshpur, Tehsil Gunnaur, District Sambhal, and to provide possession of the patta land and to restore possession of the petitioner as per provisions of section 198-A of U.P.Z.A.L.R. Act, forthwith, within stipulated period as fixed by this Hon'ble Court.

2- To issue a writ of mandamus to the respondent no. 3, Sub Divisional Magistrate, Tehsil Gunnaur, District Sambhal, to restore the possession of the petitioner as per proceeding under section 198-A of U.P.Z.A.L.R. Act, forthwith, within stipulated period as fixed by this Hon'ble Court."

3. Learned Standing Counsel has raised preliminary objection that from perusal of the prayer made in the writ petition as well as representation of the petitioner, it appears that there is a private dispute between the petitioner and the private persons and no such writ can be issued.

4. In view of the same, I am not inclined to interfere in the matter.

5. Accordingly, the petition is **disposed of** with liberty to the petitioner to pursue the remedy as available to him under law.

Order Date :- 22.11.2023

Nitika Sri.

(Manish Kumar Nigam, J.)