

Court No. - 47

Case :- WRIT - C No. - 41274 of 2023

Petitioner :- Raju

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

Counsel for Petitioner :- Suresh Kumar Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.

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

"i) Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to direct the respondent authorities to ensure the road situated in Gaon Sabha, Village Agra Patti, Phoolpur, Prayagraj in Arazi No. 313 of an area 0.0410 hectare in its original position by dispossessing the private respondent from road in which the respondent nos. 7 to 10 are making construction in collusion with respondent nos. 4, 5 and 6 and even the Bhumidhari land of Arazi No. 533 of the petitioner."

3. Learned Standing Counsel has raised preliminary objection that alternative remedy under Section 26 of the U.P. Revenue Code, 2006 is available to the petitioner.

4. In view of the availability of alternative remedy, I am not inclined to interfere in the matter.

5. In case, the petitioner moves an application under Section 26 of the U.P. Revenue Code, 2006 before the appropriate authority, the same shall be decided expeditiously in accordance with law after hearing all the concerned parties provided there is no other legal impediment.

6. With the aforesaid direction, the writ petition stands **disposed of**.

Order Date :- 30.11.2023

Nitika Sri.