

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18541 of 2023

Petitioner :- Irshad Khan

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Satwik Tripathi

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

The instant writ petition seeks following relief:-

"a). issue a writ, order or direction in the nature of mandamus and stay the proceeding of impugned order/notice dated 06.11.2023 passed by the Additional District Magistrate, Mirzapur in Case No. D201816530002817 of 2018 (State vs. Irshad) Under Section 3(1) of Goonda Control Act, 1970 Police Station Kotwali Dehat, District Mirzapur, against the petitioner, during the pendency of 3 cases which are running against the petitioner."

Challenge in the petition is to a notice, issued to the petitioner u/s 3(1) U.P. Control of Goonda Act. The notice is dated 23.6.2018.

On a query, counsel for the petitioner states that he has filed his reply to the notice on 6.11.2023 on which date the matter was adjourned as the presiding officer was not available. It is this order which is under challenge.

Since the notice is of the year 2018 and the petitioner has filed his reply thereto, no interference is called for at this stage.

The writ petition is **disposed of**, directing the Additional District Magistrate, Mirzapur to decide the case filed against the petitioner, keeping in mind the reply filed by him and after hearing all concerned as expeditiously as possible and preferably within a period of six weeks from the date a certified copy of this order is filed before him.

Order Date :- 29.11.2023

Vandana