

Court No. - 47

Case :- WRIT - C No. - 42520 of 2023

Petitioner :- Satya Prakash Mishra And 3 Others

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

Counsel for Petitioner :- Om Prakash Singh, Akhilesh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

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

2. This writ petition has been filed for following relief:

"A. Issue a writ, order or direction in the nature of Certiorari quashing the impugned order dated 14.09.2023 passed by the respondent no. 2 i.e. Apar Commissioner (Administration) Varanasi Region Varanasi in revision No. 353 of 2016 by computerized no. C2016140000353 under section 219 L.R. Act.

B. Issue a writ, order or direction in the nature of Mandamus direct to the concerned parties to maintain status quo in accordance with current map pertaining to gata no. 328 and 329."

3. Contention of the learned counsel for the petitioner is that application filed by respondent no. 5 under Section 28 of U.P. Revenue Code, 2006 was dismissed by the Additional District Magistrate against which a revision was filed and the same has been allowed by order dated 14.09.2023.

4. Learned Standing Counsel raised a preliminary objection that the petitioner has alternative remedy of filing revision under U.P. Revenue Code, 2006.

5. In view of the above, I am not inclined to interfere in the matter.

6. Accordingly, the writ petition is dismissed with liberty to the petitioner to avail the alternative remedy as available to him under law.

Order Date :- 8.12.2023

Ved Prakash

(Manish Kumar Nigam, J.)