

Court No. - 32

Case :- WRIT - C No. - 41248 of 2023

Petitioner :- Sakila Khatoon And Another

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

Counsel for Petitioner :- Raghvendra Shankar Srivastava

Counsel for Respondent :- C.S.C, Saurabh Tiwari

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

Heard the counsel for the petitioner and Shri Saurabh Tiwari, Advocate, representing the respondent Nos. 4 and 5.

The grievance of the petitioners in the present petition is that they are being evicted from their Bhumidhari Plots by Nagar Palika Parishad, Amroha with the help of the District Administration. The petitioners have annexed certain documents to establish their title over the disputed plots, which is a matter of evidence and can not be considered by this Court in summary proceedings.

The petition involves disputed question of fact, which can be decided only on evidence.

The petitioners have the remedy to institute appropriate proceedings before the civil court.

In view of the availability of alternative remedy, it is not a fit case for interference by this Court under Article 226 of the Constitution of India.

The petition is ***dismissed.***

Order Date :- 6.12.2023

Anurag/-