

Court No. - 47

Case :- WRIT - C No. - 41635 of 2023

Petitioner :- Subba Yadav

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Shashi Kant Upadhyay

Counsel for Respondent :- C.S.C, Sudhir Bharti

Hon'ble Manish Kumar Nigam, J.

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

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

"I. Issue a writ, order or direction in the nature of certiorari to quash the impugned order dated 8.11.2023 passed by Collector Deoria i.e. Respondent no.1 in case Suit No.1654/2022, Computerized Case No.D202205200001654, Subba Yadav Vs. Munna Sharma and others, which contained as Annexure No.5 to this writ petition.

II. Issue a writ, order or direction in the nature of mandamus directing to the respondents authorities that they will not dispossess the petitioner from Araj No.698 area 0.008 Hectare situated in Village Narayanpur Banjariya, Tehsil & District Deoria by treating the same vested under Section 9 of U.P.Z.A. & L.R. Act, 1950."

3. A preliminary objection has been raised by learned Standing Counsel that the petitioner has an alternative remedy of filing a revision against the order impugned.

4. In view of the above, I am not inclined to interfere with the order impugned.

5. Accordingly, the writ petition is dismissed, however, the petitioner may pursue the remedy as available to him under the law.

Order Date :- 4.12.2023

S. Singh