

Court No. - 47

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2755 of 2023

Petitioner :- Brij Mohan Yadav

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Rakesh Kumar Yadav, Hriday Narayan Pandey

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 commanding and directing the District Magistrate, District: Jaupur (respondent no. 2) to measure Chak Marg area 15 Fit width of Gata No. 460, put soil and installed Kharajna on the aforesaid Chak Marg.

II. Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no. 1 and 2 to decide the representations dated 13.10.2023 filed by the petitioner before them within stipulated period as fixed by this Hon'ble Court."

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.

(Manish Kumar Nigam, J.)