

Court No. - 47

Case :- WRIT - C No. - 42536 of 2023

Petitioner :- Shripati Maurya

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Sunil Pratap Singh, Shashi Kant Dwivedi

Counsel for Respondent :- C.S.C

Hon'ble Manish Kumar Nigam, J.

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

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

"i) Issue a writ, order or direction in the nature of certiorari for quashing the impugned order/report dated 25.05.2023 and 05.08.2023 which is obtaining by the petitioner's complaint of IGRS submitted/passed by the respondents authorities (Vide Annexure No. 1 to this writ petition).

ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the Sub Divisional Magistrate Mehnagar, District Azamgarh/respondent no. 3 to consider and decide representations filed under Section 67 of U.P. Revenue Code, 2006 pending before it forthwith or within stipulated period as fixed by this Hon'ble Court."

3. Contention of the learned counsel for the petitioner is that respondent no. 6 has encroached upon a chak road and also encroached upon a pond land.

4. Revenue Code is a complete code in view of judgment of this Court passed in **Public Interest Litigation (PIL) No. 2117 of 2023 (Kanhaiya Lal v. State of U.P. and others)** passed on 27.09.2023 and in case the petitioner is aggrieved, he may file an appropriate application under the provisions of U.P. Revenue Code, 2006.

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

6. Accordingly the writ petition is dismissed with liberty to the petitioner to approach the revenue court for redressal of his grievance.

Order Date :- 8.12.2023

Ved Prakash

(Manish Kumar Nigam, J.)