

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 19032 of 2023

Petitioner :- Yogi @ Yogesh Kumar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Brij Lal Shukla

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

1. Heard learned counsel for the petitioner and the learned A.G.A. for the State.

2. Challenge in the writ petition is to the order dated 4.9.2023 passed by the respondent no. 3, in Case No. 1969 of 2023 (Computerized Case No. D202311170001969 (State Vs. Yogi @ Yogesh), under Section 3(1) of U.P. Control of Goondas Act, 1970, during the pendency of Appeal No. 1656 of 2023 pending before respondent no. 2, whereby the petitioner has been externed.

3. Against an order of externment, the petitioner is already availing the statutory alternative remedy of an appeal before the Divisional Commissioner concerned as provided under Section 6 of the Act.

4. Under the circumstances, the writ petition is **dismissed**.

5. However, it is observed that the appellate authority shall endeavour to decide the aforesaid appeal as expeditiously as possible.

Order Date :- 7.12.2023

M. Tarik