

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4436 of 2023

Petitioner :- Smt. Deepa And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Govt. Civil Sectt. Lko. And Others

Counsel for Petitioner :- Abhinav Srivastava, Ajay Veer Singh

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed, J.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Shri Abhinav Srivastava, the learned counsel for the petitioners and Shri Badrul Hasan, the learned A.G.A.-I for the State.

The present writ petition has been filed with the following prayer:

"(i) Issue a writ order or direction in the nature of mandamus commanding the opposite parties not to create any hindrance and interference in peaceful matrimonial living of the petitioners in the interest of justice.

(ii) A writ order or direction in the nature of mandamus commanding the opposite parties provide protection safety and security to the life and liberty of the petitioners as they are major in age and married living peaceful life in the interest of justice.

(iii) Any other writ order or direction which this Hon'ble Court may deem fit just and proper may also be passed.

(iv) Allow the writ petition with cost."

2. Learned counsel for the petitioners submits that both the petitioners are major and have married with each, but there marriage is not being accepted by the respondent No. 4 who is father of the petitioner No. 1 and under his influence, local police authorities are harassing them.

3. Learned A.G.A.-I submits that the present writ petition is nothing but an abuse of process of law as nothing has been said in the entire writ petition as to what threat has been given to the petitioners by the respondent No. 4, therefore, the present petition may be dismissed.

4. After having considered the rival submissions as advanced by the learned counsel for the parties, we are of the considered view that till today no any cause of action survives for the petitioners to get any relief as claimed in the petition, and if any cause of action survives, whatsoever in future, the petitioners are free to approach competent court for redressal of their grievance.

5. With the above observation/ direction, the present writ petition is finally disposed of.

Order Date :- 8.6.2023

Mustaqeem