

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5281 of 2023

Petitioner :- Munindra Kumar Srivastava

Respondent :- State Of U.P. Thru. Prin. Secy. Housing And Urban Planning Deptt. Lko. And 4 Others

Counsel for Petitioner :- Mahendra Pratap Singh

Counsel for Respondent :- C.S.C., Shobhit Mohan Shukla

Hon'ble Rajnish Kumar, J.

Heard Shri Mahendra Pratap Singh, learned counsel for the petitioner, learned Standing Counsel and Shri Arun Kumar Pandey, Advocate holding brief of Shri Shobhit Mohan Shukla, learned counsel for the opposite party no.2.

Learned counsel for the opposite party no.2 raised a preliminary objection that this petition is not maintainable without challenging the order dated 21.07.2023 passed in Complaint No.9201819370 of the petitioner, contained in annexure no.2 to the petition.

Learned counsel for the petitioner submits that the order dated 21.07.2023 has wrongly and illegally been passed. Earlier an order was passed on 12.01.2023 which provides that the next date may be fixed when the I.B.C. proceedings is concluded.

In view of above, this Court is of the view that unless the order dated 21.07.2023 is challenged in appropriate forum/ court, this petition is misconceived and not tenable.

It is, accordingly, **dismissed**.

(Rajnish Kumar, J.)

Order Date :- 3.11.2023

Haseen U.