

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8019 of 2023

Petitioner :- Smt. Rajeshsveri Maurya Alias Rajeshsveri Another

Respondent :- State Of U.P. Thru. Secy. Home Deptt. U.P. Lko. And Others

Counsel for Petitioner :- Vimlesh Kumar Kashyap

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Ajai Kumar Srivastava-I,J.

1. Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of the State Respondents.

2. This petition has been filed with the following main prayers:-

"(i) ISSUE a writ, order or direction in the nature of Mandamus commanding and directing the opposite parties no.4 to 12 not to harass in any manner to the petitioners or threaten to them as stated in Annexure no.1.

(ii) ISSUE a writ, order or direction in the nature of Mandmaus commanding and directing the opposite part no. 8 to keep his dog inside his house and not to leave his dog in open place or no Road for nature call."

3. It has been submitted by the learned counsel for the petitioners that the opposite party no. 8 is the petitioners neighbor and is a retired Army personnel and only to harass the petitioners, he brings his dog early in the morning and ensures that relieves himself/poops in front of the petitioners house. The petitioners complained to the police in this regard, but the S.H.O. concerned colluded with the opposite party no. 8.

4. The writ petition is entirely frivolous and it is **dismissed** with a cost of Rs. 1,000/-. The cost

shall be deposited by the petitioners in the Registry of this Court within one month. In case of non-deposit by the petitioners, the Senior Registrar shall issue a Recovery Certificate to the District Magistrate concern, who shall recover the same amount from the movable and immovable property of the petitioners and deposit the same amount in the Court within three weeks thereafter.

Order Date :- 16.10.2023
Darpan Sharma