

Court No. - 3

Case :- WRIT - C No. - 9402 of 2023

Petitioner :- Laxmi Devi And Ors.

Respondent :- State Of U.P. Thru Secy. Revenue Deptt. Lko And Ors.

Counsel for Petitioner :- Devendra Pratap, Shashank Shekhar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for petitioners and learned Standing Counsel for State.
2. Petitioners have approached this Court for a mandamus commanding the respondents no.2 and 3 to give possession of the land in Gata No.1103 (Da) situated at Village- Bhogaita, Pargana Magrair, Tehsil Bighapur, District Unnao to petitioners.
3. Learned Standing Counsel on instructions states that sale deed issued in favour of petitioners also consist certain land which is *usar* and belong to State and, therefore, the said land could not have been included in the sale deed.
4. There is disputed questions of fact and law involved in the matter, therefore appropriate remedy would be available to petitioners to file a suit before appropriate court.
5. With liberty to petitioners to avail the alternative remedy of suit, present writ petition is **consigned** to record.

Order Date :- 27.10.2023

Arti/-

[Manish Kumar, J.] [Vivek Chaudhary, J.]