

Court No. - 6

Case :- WRIT - B No. - 1043 of 2023

Petitioner :- Ram Kailash Mishra And Others

Respondent :- State Of U.P. Thru. Prin. Secy., Deptt. Of Revenue, Lucknow And Others

Counsel for Petitioner :- Ashok Kumar Verma, Gayasuddeen, Mahmood Alam, Mohd. Shahanshah Newaz Khan

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar, J.

Heard Sri Atul Kumar, Advocate holding brief of Sri Mahmood Alam, learned counsel for the petitioner and Sri Yogendra Singh, learned Additional Chief Standing Counsel.

Learned Additional Chief Standing Counsel raised a preliminary objection that the petitioner has an alternative and statutory remedy under Section 109 A of the U.P. Consolidation of Holdings Rules 1954. He relies on a judgment of this Court in the case of Ram Abhilakh and others versus Deputy Director of Consolidation and others; 1993 RD 49. Even otherwise, the submission is that the petitioner without disclosing as to which order he wants to be get implemented, this is not maintainable.

At this stage, learned counsel for the petitioner submits that the petition may be dismissed as not pressed with liberty to avail the appropriate remedy as may be available under law. To which there is no objection by the learned Additional Chief Standing Counsel.

Dismissed accordingly as not pressed with liberty as aforesaid.

Order Date :- 22.11.2023

Akanksha