

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9227 of 2023

Petitioner :- Nasreen

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

Counsel for Petitioner :- Shiv Pal Singh, Ashwani Kumar
Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner, learned AGA who appears on behalf of State-respondents and perused the record.

This writ petition has been filed praying the following main reliefs:

"[I] Issue a writ, order or direction int he nature of Mandamus thereby commanding and directing the opposite parties No. 2 to 4 to ensure the opposite parties Nos. 2 to 5 to maintain the peace, law and order in the Village-Ghuskar, Police Station-Kotwali Gosainganj, District Lucknow and may also further be pleased to direct the opposite parties no. 2 to 5 to decide the representation of the petitioner dated 20.11.2023, as contained in Annexure No. 1 to this writ petition."

It has been submitted by the learned counsel for the petitioner that she had constructed a wall over his abadi land but the same has been demolished by the certain persons with the help of police personnel of Police Station, Gosainganj, District Lucknow, copies of photographs of persons demolishing the land in the presence of police personnel of Police Station, Gosainganj, District Lucknow have been annexed as Annexure-3 to the petition.

Learned AGA has produced before this Court a copy of the written instructions dated 4.12.2023 sent by Sri Gopal Verma, Sub Inspector, P.S. Gosainganj, District Lucknow wherein it has been stated that the petitioner was constructing a wall over the 'rasta' leading to the Temple which belongs to the Gram Samaj and, therefore, the petitioner received a call from police helpline no. 112 for stopping the same and police reached the spot and stopped the petitioner from constructing the wall. She was told that the land belongs to the Gram Smaj. When the petitioner resisted, the S.D.M. and the Rural Lekhpal, Ms. Shilpi Singh was called on her mobile number, she arrived and also made a prayer to the petitioner not to construct the wall over the Gram Smaj land and in case, they have a

dispute regarding demarcation, they can approach the Revenue Court concerned.

This Court, having gone through the instructions, is of the opinion that the petitioner has appropriate remedy of approaching the Revenue Court for demarcation of her land, therefore, there is no good ground to show interference as prayed for.

Accordingly, the writ petition is **dismissed**.

The said instructions are kept on record.

Order Date :- 5.12.2023

AKK