

Court No. - 3

Case :- WRIT - C No. - 11068 of 2023

Petitioner :- Ram Swaroop And Others

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil
Sectt. Lko. And Others

Counsel for Petitioner :- Rajesh Kumar Shukla, Manish Kumar
Agnihotri

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary, J.

Hon'ble Om Prakash Shukla, J.

Learned counsel for the petitioners prays for and is permitted to correct the date in the prayer clause during course of the day.

Heard learned counsel for the parties and perused the record.

The present writ petition has been filed with the following main prayer:-

"I. Issue a writ, order or direction in the nature of mandamus commanding the opposite party nos.2 & 3 to ensure the compliance of the order dated 11.11.2019 passed by the Civil Judge (S.D.), Sitapur in civil suit no.336/2019 (Ram Swaroop and others versus Gajjan Singh and others), but due to non compliance of the order, the opposite party no.4 to 7 have forcibly cut the sugar cane and paddy crops of the petitioners."

Learned counsel for the petitioners has submitted that the petitioners have got an injunction order dated 11.11.2019 in the civil suit bearing no.336 of 2019 from the Court of Civil Judge (S.D.), Sitapur but the same is not being complied with by the private respondents and even the Police and administrative authorities are also not providing any assistance.

In view thereof, petitioners have an alternative remedy to approach the civil court under Order 39, Rule 2A C.P.C. which shall be considered and decided by the Court concerned in accordance with law with a direction to Police and administrative authorities to ensure compliance of the order of the Court. It goes without saying that all the authorities

including the Police and administrative authorities are bound to ensure compliance of the order of the Court.

With the aforesaid directions, the writ petition stands disposed of.

(Om Prakash Shukla J.) (Vivek Chaudhary, J.)

Order Date :- 18.12.2023

Arjun/-