

Court No. - 6

Case :- WRIT - C No. - 11530 of 2023

Petitioner :- Mohammad Shahid

Respondent :- Commissioner, Devipatan Mandal, Gonda And Others

Counsel for Petitioner :- Dwijendra Mishra

Counsel for Respondent :- C.S.C.,Surya Narayan Mishra

Hon'ble Rajnish Kumar,J.

Sri Hemant Kumar Misra learned Advocate has filed vakalatnama on behalf of opposite party no.4 which is taken on record.

Heard Sri Dwijendra Mishra learned counsel for the petitioner and Sri Hemant Kumar Misra learned counsel for the respondent no.4. Learned Standing counsel is present for the respondent nos.1 to 3.

This petition has been filed challenging the order dated 30.11.2023 passed in Appeal no.789 of 2023 by the Commissioner, Devi Patan Mandal, Gonda under Section 207 of U.P. Revenue Code, 2006 whereas the appeal is provided under Section 38(4) of the Revenue Code, 2006 against the order passed under Section 38, therefore, it can be an order under Section 38(4) and the orders passed by the Commissioner under Section 38(4) is subject to provisions of Section 210 of U.P. Revenue Code, 2006.

Therefore, the petitioner has an alternative and statutory remedy under Section 210 of filing revision before the Board of Revenue.

In view of the above, the petition is **dismissed** on the ground of alternative and statutory remedy available to the petitioner.

(Rajnish Kumar,J.)

Order Date :- 22.12.2023

Harshita