

Court No. - 16

Case :- MATTERS UNDER ARTICLE 227 No. - 20760 of 2019

Petitioner :- Smt. Bitana And Ors.

Respondent :- State Of U.P. And Anr.

Counsel for Petitioner :- Shobhit Kant

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Shobhit Kant, learned counsel for the petitioner and Ms. Ankita Tripathi, learned A.G.A. for the State.

The instant writ petition has been filed seeking following main relief:-

"1. Issue order for quashing the impugned orders dated 22.06.2019 and 05.02.2008 passed in Criminal Revision No.113/2008 (Chandrika Vs. State and Others) and Case No.01/2008 (Chandrika Vs. Gayadin) by the Court of learned Additional Sessions Judge, Court No.14 and Additional City Magistrate, Court No.V, Lucknow as contained in Annexure No.1 and 2 respectively."

The instant writ petition was filed in the year 2019 and there is no interim order passed in this case even more than four years have been passed. Further, as per office report, the opposite party No.2 had also been expired, thus, notice could not be served upon her.

This Court has perused the impugned orders dated 22.06.2019 and 05.02.2008 passed in Criminal Revision No.113/2008 (Chandrika Vs. State and Others) and Case No.01/2008 (Chandrika Vs. Gayadin) by the Court of learned Additional Sessions Judge, Court No.14 and Additional City Magistrate, Court No.V, Lucknow respectively and finds that there is no illegality in the impugned orders as they have been rightly passed. Thus, this Court is not inclined to interfere in the same.

This Court is of the view that if the petitioner is aggrieved by any action of the opposite party no.2, then he has a remedy before the competent civil court for adjudication of dispute in respect of the property.

With the aforesaid observations, the instant writ petition stands **dismissed**.

Order Date :- 6.8.2024

Saurabh