

Court No. - 2

Case :- WRIT - C No. - 5532 of 2024

Petitioner :- Kamlesh And Others

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

Counsel for Petitioner :- Adnan Ahmad

Counsel for Respondent :- C.S.C.

Hon'ble Alok Mathur,J.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Adnan Ahmad, learned counsel for the petitioners and learned Standing Counsel for the respondents.
2. In the light of the proposed order, notice to the private respondent is dispensed with.
3. Grievance of the petitioners is with regard to the property situated at Village Tantaha, Nizampur, Hasanpur, Khevli, Majhagaowa, Police Station- Shusant Golf City, Tehsil- Saronji Nagar, District Lucknow. The petitioners claim to be owner of the said land and are their ancestral property on which private respondents are attempting to forcefully take possession. In the aforesaid circumstances, they sought a direction to the State respondents to take action against the private respondent to protect the possession over the disputed land.
4. From pleadings made in the present writ petition is apparently clear that the petitioners are aggrieved by the action of private respondents and for which purpose they have adequate remedy before the civil court for establishing their right over the said land and also to seek injunction in case certain persons are illegally trying to occupy the property. The said dispute would not be entertainable in the jurisdiction under Article 226 of the Constitution of India.
5. Accordingly, for the aforesaid reason, the petition is **dismissed** with liberty to the petitioners to approach the appropriate forum for redressal of their grievance.

Order Date :- 26.6.2024

A.Kr*

(Arun Kumar Singh Deshwal, J.) (Alok Mathur, J.)