

Court No. - 2

Case :- WRIT - C No. - 5540 of 2024

Petitioner :- Rajani Singh

Respondent :- District Magistrate, Lucknow And Others

Counsel for Petitioner :- Satish Kumar Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Alok Mathur,J.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri S.K. Sharma, learned counsel for the petitioner and learned Standing Counsel for respondents No. 1 to 3.
2. In the present writ petition, a prayer has been sought from this Court for a direction to respondents No. 1 to 3 to illegal construction, raised by respondent No.4 over Gata No. 799 Mi. Rakaba 0.164 hectare, situated at Village Chakauli, Pargana Bijnaur, Tehsil Sarojani Nagar, Lucknow.
3. Learned Standing Counsel, on the other hand, has opposed the prayer. He has submitted that the dispute raised in the present petition is a private civil dispute between the petitioner and the private respondent and a writ petition under Article 226 of the Constitution of India would not be maintainable.
4. Considering the aforesaid submission and on perusal of record, this Court is of the considered view that the present dispute does not fall within the realm of Article 226 of the Constitution of India and the petitioner has alternative remedy before the civil court.
5. Accordingly, the petition is **dismissed** with liberty to the petitioner to approach appropriate forum for redressal of his grievance.

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

Order Date :- 28.6.2024

Vandana