

Court No. - 16

Case :- MATTERS UNDER ARTICLE 227 No. - 4082 of 2024

Petitioner :- Bare Lal Pandey

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

Counsel for Petitioner :- Surya Prakash Singh

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Surya Prakash Singh, learned counsel for the petitioner and Sri Hari Shanker Bajpai, learned A.G.A.-I for the State as well as perused the record.

The instant writ petition under Article 227 of the Constitution of India has been filed seeking following main relief:-

"1. To issue an order to set aside the order dated 31.05.2024 passed by the Court of Additional Chief Judicial Magistrate, Outlying Court Kunda, Pratapgarh, contained as Annexure No.14 in the Petition."

At the very outset, learned A.G.A.-I for the State has made a preliminary objection regarding maintainability of this petition and submits that the petitioner has a remedy under Section 439 Cr.P.C. for redressal of grievance. He further submits that the instant writ petition be dismissed on the ground of alternative remedy.

Learned counsel for the petitioner submits that he may be permitted to withdraw this writ petition with liberty to approach the appropriate forum.

Accordingly, the instant writ petition is **dismissed** as withdrawn with liberty as prayed for.

Order Date :- 29.8.2024

Saurabh