

Court No. - 2

Case :- WRIT - C No. - 10965 of 2024

Petitioner :- Helal Ahmad

Respondent :- State Of U.P. Thru. Secy. Deptt. Of Home Lko And 2 Others

Counsel for Petitioner :- Amit Singh

Counsel for Respondent :- C.S.C., Rishabh Kapoor

Hon'ble Rajan Roy, J.

Hon'ble Brij Raj Singh, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for State-opposite parties no.1 and 2 and Sri Rishabh Kapoor, learned counsel appearing for opposite party no.3.

2. Though it is true that the land which is reserved for public utility as in this case the land is reserved as Bhita, the same should not be used for other purposes, but the water tank sought to be constructed thereon is also for the residents of the village. Moreover, the petitioner does not claim any bhumidhari or other rights in the said land. Therefore, we see no reason that why we should exercise our extraordinary jurisdiction under Article 226 of the Constitution of India. This, however, shall not be treated as an affirmation of the action impugned herein, but only a disinclination to interfere in the exercise of our extraordinary jurisdiction.

3. Writ petition is ***disposed of***.

.

(Brij Raj Singh, J.) (Rajan Roy, J.)

Order Date :- 19.12.2024

Rao/-