Court No. - 7

Case :- WRIT - C No. - 9975 of 2024

Petitioner :- Maya Prakash And Others
Respondent :- State Of U.P. Thru. Secy. Deptt. Of Social Welfare, Lko. And Others
Counsel for Petitioner :- Ram Chandra Dwivedi,Sonam Pandey
Counsel for Respondent :- C.S.C.,Dilip Kumar Pandey

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State.

2. Present petition, in effect, has been filed with the following prayer:

"(a). A writ order or direction in the nature of Mandamus thereby commanding to the opposite parties specially Opposite Party No.2 to look in to the matter in accordance with law and pass appropriate order and take necessary step in pursuance to the representation preferred by the petitioners contained as Annexure No.3 to this writ petition with in a stipulated time may be fixed by this Hon'ble Court.

(b). A writ order or direction in the nature of Mandamus thereby commanding to the opposite parties specially Opposite Party No.2 to direct the authority concern to vacate the land of the pond from the illegal encroachment from the Opposite Party No.6 to 10 and also stop the work of drainage in front of the houses of the petitioners."

3. Learned Standing Counsel, based upon instructions, states that the land in question is not a pond land and is a abadi land. With regard to second part of prayer (b), it is stated that a suit has already been instituted which is pending being Suit No.346 of 2024.

4. In view of the fact that the petitioner has already availed the remedy, no good ground for interference is made out. Present petition is accordingly ***dismissed.***

Order Date :- 29.11.2024
nishant

Digitally signed by :-
NISHANT MOHAN
High Court of Judicature at Allahabad,
Lucknow Bench