**Court No. - 2**

**Case :-** WRIT - C No. - 10176 of 2024

**Petitioner :-** Raghunath Verma
**Respondent :-** State Of U.P. Thru. Prin. Secy. Deptt. Of Revenue Lko. And 10 Others
**Counsel for Petitioner :-** Manuvendra Singh
**Counsel for Respondent :-** C.S.C.,Pankaj Gupta

**Hon'ble Rajan Roy,J.**
**Hon'ble Brij Raj Singh,J.**

**1.** Heard Shri Manuvendra Singh, learned counsel for the petitioner, learned Additional Chief Standing Counsel for the State and Shri Pankaj Gupta, learned counsel for the opposite parties no. 7.

**2.** This writ petition has been filed by the petitioner seeking the following reliefs:-

*"i. Issue a writ order or direction, in the nature of Mandamus commanding the opposite parties specifically opposite party No. 2, i.e. District Magistrate/Collector, District - Pratapgarh to inquired unlawful conduct of the opposite party no. 4 and punish them if their unlawful conduct are found to be illegal, in the interest of justice.*

*ii. Issue a writ order or direction in the nature of Mandamus commanding the opposite parties; specifically opposite party no. 2 i.e. District Magistrate/Collector, District - Pratapgarh to take decision on the petitioner application dated 20-11-2024, which is still pending, in the interest of justice."*

**3.** After hearing learned counsel for the parties and perusing the records what comes out is that between house of the petitioner and the opposite parties no. 9 to 11 there is a passage.

**4.** According to the learned Additional Chief Standing Counsel the marriage of sister of opposite parties no. 9 to 11 was to be solemnized but the access to the house was being blocked by the petitioner whereupon an alternative arrangement was required and therefore, some soil has been put and the passage aforesaid between the house of the petitioner and the opposite parties no. 9 to 11 has been leveled only to facilitate the aforesaid. The marriage was on 25.11.2024.

**5.** It is not the case of the petitioner that the said passage belongs to the petitioner. As regards the contention that the 'Ghur Gaddha' has been filled up, it is question of fact and we would not enter into it under Article 226 of the Constitution of India. This order is being passed without prejudice to the rights

of the petitioner in the earlier writ petition.

**6.** The writ petition is **dismissed** with liberty to pursue other remedies as far as they may be permissible in law.

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

**Order Date :-** 28.11.2024
R.K.P.

Digitally signed by :-
RAJ KUMAR PATEL
High Court of Judicature at Allahabad,
Lucknow Bench