



2026:AHC:19597

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 45019 of 2025

Dhanraj And 5 Others

.....Petitioner(s)

Versus

State Of U.P And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Amar Singh Yadav
Counsel for Respondent(s)	:	Azad Rai, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The petitioners have preferred the present petition inter-alias with the following prayers:-

"i). issue a writ, order or direction in the nature of mandamus directing the respondent authority not interfere in peaceful possession of petitioners over the Gata Nos.354/9, 354/7, 354/2 and 259/3 situated in Village-Atanpur, Pargana- Sikandra, Tehsil-Phoolpur, District- Prayagraj.

ii). issue a writ, order or direction in the nature of mandamus directing the respondent No.2 to taken necessary action on the application of petitioner dated 08.10.2025 within stipulated which is pending before the respondent No.2 (Annexure No.3 to this writ petition)."

2. Learned Standing Counsel as well as learned counsel appearing on behalf of Gaon Sabha submit that if the petitioner is aggrieved against private individuals then the proper course open for her is to apply for common law remedy.

3. From perusal of the record, it is clear that the petitioners want relief against the private individuals which cannot be granted under writ jurisdiction. Law in this connection is well settled that mandamus cannot be issued against the private individuals and the appropriate remedy lies under the common law.

4. In this view of the matter, the present petition is **dismissed** with the liberty to avail the common law remedy, if so advised.

(Prakash Padia,J.)

January 29, 2026

Swati

