



2026:AHC:23253

## HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 3931 of 2026

Sudhir Chaudhari

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

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|---------------------------|---|------------------------------|
| Counsel for Petitioner(s) | : | Anand Shanker Mishra         |
| Counsel for Respondent(s) | : | C.S.C., Kaushal Kishore Mani |

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**Court No. - 6**

**HON'BLE PRAKASH PADIA, J.**

1. The petitioner has preferred the present petition with the following prayer:-

*I-Issue, a writ order or direction in the nature of mandamus commanding and directing to the respondent no. 2 and 3 Vacate the Government Chak-marg no. 990 and Government drain Khasara no. 991 situated in village Kairana Bahar Haddu-2 Kairana Shamli by the respondent no.5 which was encroached by the illegal possession holder/ Private respondent no.5.*

2. From perusal of the record, it is clear that the petitioner wants 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.

3. 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.)**

**February 3, 2026**

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