



2026:AHC:49065

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 5386 of 2026

Rajkumar

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ashish Kumar Maurya
Counsel for Respondent(s)	:	C.S.C., Pankaj Kumar Gupta

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. It is argued by learned counsel for the petitioner that representation dated 27.11.2025 was submitted by the petitioner before the respondent No.3/Sub Divisional Officer/Sub Divisional Magistrate, Tehsil Sadar, District Basti alleging that the private respondent, i.e. respondent No.6/Manoj Kumar Yadav is raising permanent constructions over the land belonging to the Gaon Sabha situated at Gata No.185 village Gauri Block Bankati District Basti.

2. From perusal of the aforesaid representation as well as the present petition, the Court is of the opinion that the relief has been sought by the petitioner is against the private persons. Law is well settled that mandamus cannot be issued against a private person and the petitioner has remedy to initiate proceedings under the common law.

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

(Prakash Padia,J.)

March 11, 2026

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