



2026:AHC:15725

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 1965 of 2026

Smt Bhuri Devi And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Alok Kumar Srivastava, Shweta Srivastava
Counsel for Respondent(s)	:	C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The petitioners have preferred the present petition with the following prayer:-

a) Issue a writ, order or direction in the nature of Mandamus directing the respondent no. 3 to restrain the respondent nos. 4, 5 and 6 from making the encroachment over the land having Gata No. 174 measuring an area about 1.533 Hectare situated at Village Boojpur Maan, Sirsakhara, District Moradabad, in pursuance of the order dated 09-08-1999 passed in Case No. 39/92-83 "Jaypal Vs. Mahendra Singh and Ors." under Section 176 of the UP.Z.A. and L.R. Act, 1950.

2. 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.

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

(Prakash Padia,J.)

January 21, 2026

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