



2026:AHC:44590

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 7804 of 2026

Smt. Aradhana

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mohan Lal, Vinod Shukla
Counsel for Respondent(s)	:	C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. The petitioner has preferred the present petition inter-alias with the following prayers:-

"a. Issue a writ order or direction in the nature of Mandamus commanding and directing the respondent no. 2, 3 & 4 to provide /grant possession upon the land in question to the petitioner and take legal action against the respondent no. 5 and 6 prohibiting them forever, not to disturb in the peaceful living of the petitioner and also appropriate administrative / police action may be taken to ensure that there is no disturbance of peace in future forthwith.

b. Issue a writ order or direction in the nature of Mandamus commanding and directing the respondent no. 2, 3 & 4 to consider and decide the representation/application submitted by the petitioner dated 12.12.2025, so that the life, liberty and property of the petitioner may be protected, within stipulated period of time as fixed by this Hon'ble Court."

2. It is contended that, despite the execution of the sale deed in favour of the petitioner, possession of the plot in dispute has not been handed over by private respondent Nos. 5 and 6. In this regard, the petitioner submitted a representation dated 12.12.2025 before respondent No. 3. However, as no action has been taken by respondent No. 3 on the said representation, the petitioner has been constrained to file the present writ petition.

3. Heard learned counsel for the petitioner, learned Standing Counsel for the State-respondents and perused the record. He submits that if the petitioner is aggrieved against private individuals then the proper course open for her is to apply for common law remedy.

4. From perusal of the records as well as the prayer made in the writ petition, this Court is of the prima facie opinion that the reliefs sought by the petitioner cannot be granted in exercise of jurisdiction under Article 226 of the Constitution of India. If possession has not been handed over by respondent Nos. 5 and 6, it is well settled that a writ of mandamus cannot be issued against private individuals. In such circumstances, the appropriate remedy available to the petitioner lies under the common law before a competent civil court.

5. 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 25, 2026
Vibha Singh