

Court No. - 36

Case :- WRIT - C No. - 12609 of 2020

Petitioner :- Amit Kumar

Respondent :- State Of U P And 4 Others

Counsel for Petitioner :- Alok Kumar Singh

Counsel for Respondent :- C.S.C.,Azad Rai

Hon'ble Vivek Agarwal,J.

Sri Alok Kumar Singh, counsel for the petitioner submits that he has filed this petition claiming following reliefs:

"I- A writ order or direction in the nature of mandamus commanding and directing to the respondent no.2 to decide the application dated 07.07.2020 which has been given by the petitioner and other co-villagers, which is pending before him (Annexure-3 to this writ petition)

II- A writ, order or direction in the nature of mandamus commanding and directing to stop the construction of the Barat Ghar situated in village Manak Chauk, Post Nanpur, District-Hapur.

III- Any other writ, order or direction as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case.

IV- Award the cost of petition to the petitioner."

When petitioner is asked to show that why he has approached the High Court so soon when his application was filed only on 07.07.2020 before the respondent no.2 i.e. District Magistrate, Hapur. He submits that he had filed application Right to Information Act (RTI) and a direction be issued to the authorities to decide the application expeditiously.

When learned counsel for the petitioner is asked to show as to which his right has been infringed and what is the locus of the petitioner, he prays for adjournment.

This kind of practice of Bench hunting seeking time when confronted with queries is not a healthy practice for the Bar.

As petitioner has failed to point out any infringement of his fundamental rights so to invoke the writ jurisdiction of the Court, petition being bereft of merit deserves to be dismissed and is **dismissed**.

Order Date :- 28.8.2020

Ashutosh