

**Court No. - 2**

**Case :-** WRIT - C No. - 9345 of 2024

**Petitioner :-** Syed Haseen Ashraf

**Respondent :-** State Of U.P. Thru. Prin. Secy. Revenue Lko. And 7 Others

**Counsel for Petitioner :-** Abhishek Mishra, Subhash Chandra Mishra

**Counsel for Respondent :-** C.S.C.

**Hon'ble Rajan Roy, J.**

**Hon'ble Brij Raj Singh, J.**

1. Heard learned counsel for the petitioner and the learned Standing Counsel for opposite parties.

2. Contention is that in violation of temporary injunction by an order passed by the court below in Regular Suit No.565 of 2017, Syed Haseen Ashraf Vs. Omkar, opposite party no.4 has demolished the property, which is subject matter of the Suit illegally.

3. We fail to understand as to how writ petition under Article 226 of the Constitution of India is maintainable at this stage when the Suit proceedings are still pending. Whatever reliefs including restitution or restoration is being sought, should be prayed in the Suit proceedings itself.

4. Writ petition is accordingly *dismissed* with caution to the petitioner and his counsel not to prefer such petitions in future.

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**(Brij Raj Singh, J.) (Rajan Roy, J.)**

**Order Date :-** 25.10.2024

Rao/-