

Court No. - 21

Case :- WRIT - C No. - 8782 of 2020

Petitioner :- Shambhu Singh Yadav

Respondent :- District Magistrate And 2 Others

Counsel for Petitioner :- Kamlesh Kumar Yadav, Santosh Kumar Srivastava, Shravan Kumar

Counsel for Respondent :- C.S.C., R. K. Jaiswal

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus commanding the respondents to provide compensation to the petitioner for having taken possession of 0.550 acre of Arazi No. 44, belonging to him and to decide his representation dated 05.12.2019.

2. The case of the petitioner is that the respondents have taken possession of plot no. 44, which belongs to the petitioner and his other family members. The family members of the petitioner had executed sale deed to the extent of their share in favour of the respondents and they have also been paid compensation. However, it has not been paid to the petitioner so far.

3. Respondent no. 2 i.e. Project Director, N.H.A.I. has filed counter affidavit, in which it is admitted in paragraph 14 that the land of the petitioner and his co-sharer was taken over by the respondents without any formal acquisition. They have obtained sale deed from the co-sharer of the petitioner. In respect of the share of the petitioner the sale consideration amount was sanctioned but since the petitioner has not turned up to execute the sale deed, therefore, it has not been paid to him.

4. Counsel for the petitioner states that the petitioner is ready to

execute sale deed and the respondents be directed to release compensation amount in his favour.

5. Accordingly, the petition is **disposed of** with liberty to the petitioner to approach respondent no. 2 for execution of sale deed and in which event, respondent no. 2 will get the formalities completed in regard thereto within four weeks and also pay compensation/sale consideration amount to the petitioner at the time of obtaining sale deed from him.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, J.)

Order Date :- 12.10.2023

Ruhi H.