

Court No. - 21

Case :- WRIT - C No. - 36970 of 2023

Petitioner :- Shiv Kailash And 6 Others

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Shashi Kant Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Donadi Ramesh,J.

1. The instant petition has been filed praying for a direction to the respondents to pay compensation to the petitioners in respect of Plot No.297, area 0.6250 hectare as per market value alongwith solatium and interest after notifying the land under the provisions of the Land Acquisition Act, 1894.

2. It is not disputed that the petitioner had filed Writ No.43384 of 2008 on same cause of action and it was disposed of by this Court by order dated 3.09.2008 permitting the petitioners to file fresh representation before the State Government so that it is decided by the State Government within six months.

3. Although it is alleged in the writ petition that various representations were filed from time to time in terms of the order of this Court, but copy of none of the representations allegedly filed has been annexed with the writ petition. The manner in which the representation was sent to the Government has also not been disclosed. Moreover, there is no explanation why the petitioners had waited for fifteen years after the order of this Court in filing the instant petition.

4. We, therefore, decline to entertain the instant petition and leave it open to the petitioners to avail such other remedy as may be advised.

5. The petition stands disposed of accordingly.

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

Order Date :- 7.11.2023

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