

Court No. - 21

Case :- WRIT - C No. - 26440 of 2018

Petitioner :- Umesh Chand And 3 Others

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Shiv Kant Mishra, Jai Shanker Misra

Counsel for Respondent :- C.S.C., Kaushalendra Nath Singh

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 respondent Authorities to allot 5% additional developed land in lieu of acquisition of their land in terms of the judgment and order dated 21.10.2011 passed by Full Bench of this Court in **Gajraj vs. State of U.P. and others, 2011 (11) ADJ 1.**

2. It is specifically pleaded in paragraph 14 of the writ petition that the petitioners also challenged the notifications under the Land Acquisition Act, 1894 and their writ petitions were disposed of by orders passed on various dates in terms of the judgment of the Full Bench. It is not disputed that thereunder, the land owners are held entitled to allotment of developed land in addition to the compensation amount.

3. The Noida Authority has not filed any counter affidavit so far despite time having been granted way back in the year 2018.

4. In our opinion, interest of justice would be served in directing respondent no. 4 to take appropriate decision in respect of the claim of the petitioners for allotment of 5% additional developed land, keeping in mind the directions issued by the Full Bench in

Gajraj case (supra), decided on 21.10.2011, within a period of eight weeks from the date of production of a true attested copy of the instant order along with a fresh representation.

5. The writ petition stands disposed of accordingly.

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

Order Date :- 19.10.2023/Jaideep/-