

**Court No. - 3**

**Case :-** WRIT - C No. - 25075 of 2023

**Petitioner :-** Rajveer Singh

**Respondent :-** State of U.P. and Another

**Counsel for Petitioner :-** Nipun Singh, Rishi Upadhyay

**Counsel for Respondent :-** C.S.C., Anjali Upadhyay

**Hon'ble Siddhartha Varma, J.**

**Hon'ble Manoj Bajaj, J.**

1. For the planned industrial development, Greater Noida had acquired 34.28 hectares of land in village Shafipur, Pargana Dankaur, Tehsil and District Gautam Buddh Nagar. The petitioner's land situate over plot no. 171 area 1-2-0 Bigha was also acquired. On 30.6.2009, a compromise was entered into between the petitioner and the authorities of the Greater Noida in which the authorities have promised the petitioner that he would be given an alternative plot.

2. When this compromise was not fulfilled by the Greater Noida, the petitioner kept on representing and when it did not bear fruit, he filed a writ petition before this Court bearing Writ-C No. 31316 of 2022 in which an order was passed on 10.11.2022 which is being reproduced herein-below.

"The present writ petition has been filed with the following prayer:-

*"1. Issue a writ or direction in the nature of Mandamus directing the respondent authority to allot the alternative plots to petitioners as agreed by the respondent authority vide official orders dated 08.06.2009 and 30.6.2009.*

*ii. Issue a writ or direction in the nature of Mandamus directing the respondent no.2 to forthwith decide the representation of the petitioners dated 25.08.2021(Annexure No.5 to the writ petition)."*

*No explanation could be offered by the petitioners for allotment of alternative plots to them in lieu of their Abadi land acquired for the project in the year 2009.*

*Be that as it may, without entering into merits of the case, we dispose of the writ petition with only observation that the petitioners herein shall be at liberty to approach the respondent no.2 by making fresh representation raising their claims. In case, such representations are filed, the respondent*

*no.2 shall be under obligation to deal with the same, by passing a reasoned and speaking order, in accordance with law."*

**3.** When the petitioner represented in pursuance of the order dated 10.11.2022, an order was passed by the Executive Officer of the Greater Noida on 22.3.2023 by which though the claim of the petitioner was accepted, but it was said that the proposal to grant of the alternative plot was pending with the State Government. Against this order, the petitioner had approached this Court by means of the instant writ petition and on 3.10.2023 the following order was passed in the instant writ petition.

*"1. Shri M.C. Chaturvedi, learned Senior Counsel assisted by Shri Anjali Upadhyaya appearing for Greater Noida prays for two weeks' time for doing needful in the matter so as to address the grievance of the petitioner.*

*2. Having regard to the prayer made, we adjourn the case for two weeks.*

*3. List as fresh on 17.10.2023.*

*4. A responsible officer of the Authority shall file his affidavit before the next date disclosing whether the respondents intend to pay compensation to the petitioner in lieu of alternate plot to be allotted to him or would handover physical possession of the alternate plot"*

**4.** In pursuance thereof, Sri Rajni Kant, Officer on Special Duty has filed an affidavit of compliance and in its para-10, he has stated that the matter with regard to the petitioner would be placed before the Board of the Greater Noida Industrial Development Authority and after recommendation of the Board, land would be provided to the petitioner. For ready reference para-10 of the affidavit of compliance is reproduced herein-below:-

*"That in the present matter the direction has been sought from Principal Secretary, Industry on 30.09.2023 for providing the permission to constitute a committee of all the departments of the authority, who are capable to decide the cases. In pursuance to the earlier agreement between the authority and the petitioner, the matter will be placed before the Board after the recommendations of the Committee, the land will be provided to the petitioner. Photostat copy of the letter dated 30.9.2023 is annexed as Annexure No. A-1 to this affidavit.*

**5.** Sri M.C. Chaturvedi, learned Senior counsel assisted by Ms. Anjali Upadhyay appearing for Greater Noida submits that the grievance of the petitioner has now been redressed and the petitioner would be given the plot as was promised to him way back on 30.6.2009.

**6.** Since the matter has lingered since 2009, we direct the Greater

Noida authorities to complete the formalities with regard to the allotment of the alternative plot to the petitioner and provide plot to him expeditiously, preferably, within a period of two months from the date of production of certified copy of this order.

7. With the aforesaid direction, the writ petition is disposed of.

**Order Date :- 17.10.2023**

**S.K.S.**