

Court No. - 46

Case :- WRIT - C No. - 28128 of 2023

Petitioner :- Sunita Srivastava

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

Counsel for Petitioner :- Anurag Sharma, Sr. Advocate

Counsel for Respondent :- C.S.C., Ravi Prakash Pandey

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Petitioner was allotted a house by the respondent authority in 1996. It appears that subsequently additional demands were raised against the petitioner, which were not met. Consequently, the house allotted to petitioner was cancelled and has been allotted to respondent no.4 in the year 2006. It is nearly after 18 years that petitioner has approached this Court and has prayed for the allotment made in favour of respondent no.4 to be cancelled and to restore the allotment in favour of the petitioner.

Sri Ishan Mehta, appearing for respondent nos. 2 and 3 states that the writ petition is grossly barred by laches, inasmuch as the allotment was made of the premises to 4th respondent in the year 2006 only after the petitioner had failed to deposit the requisite amount even after due notice. He submitted that after such long lapse of time, it would be unjust to interfere with the allotment already made in favour of the 4th respondent.

In the facts of the case, we find the objection of Sri Mehta to have substance. After such long lapse of time, we are not inclined to entertain the present petition instituted with the prayer to quash the allotment made in favour of 4th respondent in the year 2006. Prayer made in that regard is, therefore, rejected.

However, in the facts of the case, we permit the petitioner to represent the second respondent, in respect of refund of the amount already deposited by the petitioner and such claim of the petitioner shall be dealt with, as per law, within a period of three months from the date of presentation of certified copy of this order.

With the observations made above, the writ petition stands **disposed of**.

Order Date :- 17.11.2023

SP/-