

Court No. - 46

Case :- WRIT - C No. - 30377 of 2023

Petitioner :- Vinod Kumar Kushwaha

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vinod Kumar,Lal Ji Maurya

Counsel for Respondent :- C.S.C.,Anand Prakash Paul,Harsh Vardhan Gupta

Hon'ble Ashwani Kumar Mishra,J.

Hon'ble Syed Aftab Husain Rizvi,J.

It is asserted that petitioner's ancestors were recorded over plot no.47M area 0.3480 hectare as well as plot no.27 area 0.0570 hectare situated Mauja Neemsarai, Tehsil Sadar, District Prayagraj. These plots were acquired for the benefit of development authority in the year 1987. According to the petitioner, his forefathers were not paid any compensation.

Learned State counsel and Sri Anand Prakash Paul, learned counsel for the respondent authority states that claim raised by the petitioner is absolutely stale since the recorded tenure-holders have not raised any grievance in that regard and claim of payment of compensation would not be maintainable, after 36 years of acquisition proceedings.

We find substance in the objection raised on behalf of the respondents. There is no reason to file such petition after such an inordinate delay. Nevertheless, liberty is reserved to the petitioner to approach authority concerned with the grievance, noticed above. Concerned respondent shall get the records verified and appropriate order would be passed in respect of claim raised for payment of compensation, in respect of the acquired land. In the event, it is found that compensation till date has not been paid to the original recorded owner, the authority shall do the needful while passing appropriate order, in accordance with law, within a period of four months.

Subject to above observation made, the writ petition is consigned to records.

Order Date :- 28.11.2023

MN/-