

Court No. - 39

Case :- WRIT - C No. - 30107 of 2023

Petitioner :- Smt.Jyoti Verma And 5 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ramji Singh Patel, Vijay Kumar Rai

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

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Syed Aftab Husain Rizvi, J.

1. Challenge has been raised to the report dated 28.07.2023 submitted by Zonal Officer on the complaint made by one Manoj Kumar Mishra.

2. Submission of learned counsel for the petitioners is that armed with said report, respondents are threatening to demolish the valid construction of the petitioners. Further, illegality has been pressed inasmuch as neither any show cause notice has been issued to the petitioners nor any order has been passed. Thus the petitioners claim infringement of fundamental as also legal rights.

3. Sri Ravi Prakash Pandey, learned counsel appearing for Development Authority, says that at present neither any notice has been issued to the petitioner nor any order has been passed to demolish any construction being claimed by the petitioner. Further, it has been stated that if any such action is proposed to be taken against the petitioners, notice would be first issued to them and after their objections, appropriate orders will be passed.

3. In view of the statement made by learned counsel for the Development Authority, no interference is warranted in this writ petition, at this stage.

4. The writ petition is disposed off, accordingly.

Order Date :- 28.10.2023

MN/-

(S.A.H.Rizvi, J.) (S. D. Singh, J.)