

Court No. - 21

Case :- WRIT - C No. - 32631 of 2023

Petitioner :- Subhash And 7 Others

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

Counsel for Petitioner :- Ram Chandra Srivastava, Ashok Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The grievance urged in the instant petition is that the respondents have taken over possession of the land of the petitioners for widening of an existing road under Prime Minister Gramin Sadak Yojana without acquisition and payment of compensation. The petitioners have prayed for a direction to respondents no.2 and 3 to pay compensation to the petitioners.

2. Despite time having been granted to the respondents to disclose their stand by furnishing instructions, the same has not been furnished so far. Sri Rajeev Gupta, learned Additional Chief Standing Counsel states that by inadvertence on part of his office, the previous orders could not be communicated to the State respondents. He further submits that the claim of the petitioners can be examined by the Committee in terms of Government Order dated 12.05.2016.

3. In our opinion, in case the matter is referred to the Committee, as suggested, it would sub-serve the ends of justice.

4. Accordingly, without expressing any opinion on merits, the petition is disposed of with liberty to the petitioners to file representation alongwith documentary evidence before respondent no.2 within two weeks from today. Respondent no.2 will forward the representation to the Chairperson of the Committee for being decided in accordance with law after due notice and proper survey. The decision shall be taken by the Committee within twelve weeks.

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

Order Date :- 19.10.2023

SL