

Court No. - 21

Case :- WRIT - C No. - 30636 of 2023

Petitioner :- Yamuna Expressway Entrepreneurs Association

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Mohd Atif, Sr. Advocate

Counsel for Respondent :- C.S.C., Aditya Bhushan Singhal

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. Rejoinder affidavit filed today is taken on record.
2. Heard Sri Anurag Khanna, learned Senior Advocate appearing for the petitioner association and Sri M.C. Chaturvedi, learned Senior Advocate along with Sri Pranav Tanwar, Advocate appearing for the respondent Development Authority.
3. Although several prayers have been made in the instant writ petition but Sri Anurag Khanna, learned Senior Counsel appearing for the petitioner points out that most of the reliefs claimed in the instant writ petition have been rendered infructuous in view of the decision taken by the Board of Yamuna Expressway Industrial Development Authority to reconsider case of each individual member of the petitioner association in respect of grant of benefit of zero period as admittedly possession could not be delivered. He submits that in respect of relief 'f' for a direction to the Authority to hand over possession along with fully developed infrastructure to facilitate running of industries by the members of the petitioner association, the matter still survives.
4. Sri Chaturvedi, learned Senior Counsel appearing for the respondent authority admits that the Authority in its 78th Board Meeting dated 13.9.2023 decided to consider the case of each individual member of the petitioner association for grant of zero period. He submits that the respondent authority has also clarified its stand relating to delivery of possession to the members of the petitioner association and other allottees of Sector Nos. 32 and 33 in paras 4 and 5 of the affidavit filed on behalf of respondents 2 to 6. These paragraphs are quoted below:

"4. At the outset, the Respondent Authority submits that of the total plots in Sectors 32 and 33, it has already handed over the possession of 371 plots in Sector 32 and 38 plots in Sector 33.

5. Further, the Respondent Authority, after due deliberation, has planned to hand over the possession of 1014 plots in Sector 32 and 138 plots in Sector 33 by 30 June 2024."
5. Sri Chaturvedi submits that, in case, the members of the petitioner association

make individual representation then the authority will consider and decide the same, to which Sri Anurag Khanna, learned Senior Counsel appearing for the petitioner has no objection.

6. Accordingly, the writ petition is **disposed of** by providing that the members of the petitioner association may, if so advised, make individual representation to the authority within two weeks along with true attested copy of the instant order. In that event, the respondent authority will decide the representation within next six weeks by means of speaking order and communicate its decision to the person concerned forthwith.

(Donadi Ramesh, J)

(Manoj Kumar Gupta, ACJ)

Order Date :- 11.12.2023

RK