

Court No. - 39

Case :- WRIT - C No. - 32360 of 2023

Petitioner :- Chandra Pal Singh

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

Counsel for Petitioner :- Aarushi Khare, Sr. Advocate

Counsel for Respondent :- C.S.C., Dharmendra Singh Chauhan

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Surendra Singh-I, J.

1. Having heard Sri Vinay Khare, learned Senior Counsel assisted by Ms. Shivangi Dwivedi, learned counsel for the petitioner and Sri Dharmendra Singh Chauhan, learned counsel for Bareilly Development Authority, it transpires that the petitioner apprehends forcible acquisition of his land pursuant to Office Memorandum dated 03.08.2022 published in Bareilly Jagran on 04.08.2022.

2. On the other hand, learned counsel for the Development Authority states that the said office memorandum is only an expression of interest in the land including the petitioner's land. However, the Development Authority does not propose to forcibly acquire the land at this stage. It is only seeking to purchase the land with the consent of parties.

3. In view of such statement made by learned counsel for the Development Authority, no adjudication is required at this stage. If the negotiation fails, appropriate notice be issued first to the petitioner before his land is acquired or petitioner's possession is disturbed.

4. So far as the dispute exists with respect to compounding of certain constructions raised by the petitioner, it is left open for the petitioner to avail his remedy in accordance with law. It is made clear that we have not entered into that dispute at this stage in view of the facts narrated above.

5. Accordingly, the present petition is disposed of at this stage.

Order Date :- 27.10.2023

Pratima

(Surendra Singh-I, J.) (Saumitra Dayal Singh, J.)