

Chief Justice's Court

Case :- WRIT - C No. - 31869 of 2023

Petitioner :- Gajendra Singh

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

Counsel for Petitioner :- Sunil Kumar Pandey

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

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ajay Bhanot,J.

Heard Sri Sunil Kumar Pandey, counsel for the petitioner, Sri Suresh Singh, counsel for respondent no.3 and learned Standing Counsel appearing for the State-respondent.

In this writ petition, the petitioner has challenged the demolition order dated 17.8.2023, whereby the petitioner has been asked to remove his illegal constructions, else the authority will demolish the same.

Counsel for the petitioner submits that no new construction has been raised by the petitioner and he has merely repaired his old house. He submits that the financial condition of the petitioner is not as such where he can afford any such demolition.

Counsel for respondent no.3 submits that the order impugned is an appealable order and let the petitioner file an appeal challenging the demolition order dated 17.8.2023.

Accordingly, without expressing any opinion on merits of the case, the writ petition is **disposed of** permitting the petitioner to file appeal under Rule/Regulation 4(2) of the Yamuna Expressway Industrial Development Authority as well as application for interim relief within 15 days from today. In the eventuality of doing so, the Appellate Authority is directed to decide the same on merits within a further period of three months from the date of service of certified copy of this order. The Authority shall also be at liberty to pass appropriate orders on the application for interim relief.

Till three months from today, no demolition activity shall take place in the land in question.

Order Date :- 19.10.2023

CS/-

(Ajay Bhanot, J.)

(Pritinker Diwaker, C.J.)