

Court No. - 21

Case :- WRIT - C No. - 33277 of 2022

Petitioner :- Rajveer Singh And 34 Others

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

Counsel for Petitioner :- Radhey Shyam Singh, Awadhesh Prasad

Counsel for Respondent :- CSC, Kartikeya Saran, Swapnil Kumar

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. Heard Sri Awadhesh Prasad, learned counsel for the petitioners, Sri Rajiv Gupta, learned Additional Chief Standing Counsel for the State-respondents and Sri Varun Singh, Advocate holding brief of Sri Kartikeya Saran, learned counsel for respondent no.3.

2. The petitioners have challenged the order dated 02.05.2022 passed by Special Land Acquisition Officer (Joint Organization), Bulandshahar rejecting the petition under Section 28-A of the Land Acquisition Act, 1894, after arriving at the finding that the award of the Court dated 04.04.2012 was in respect of a different notification and not the one under which land of the petitioners was acquired.

3. Counsel for the petitioners submits that the respondent had issued different notifications on same date for acquisition of land of 12 different villages for the same public purpose. Therefore, the award of the Court would also apply to the petitioners. He submits that the petitioners have already filed application on 31.05.2022 for the dispute being referred to the Court under Section 28 (A) (3) of the Act. It is urged that second respondent be directed to refer the dispute to the Collector.

4. Learned Additional Chief Standing Counsel appearing for the State-respondents as well as learned counsel appearing for respondent no. 3 has no objection to the same.

5. Accordingly and with consent of the parties, the petition is disposed of with direction to respondent no.2 to refer the dispute to the Court in pursuance of application dated 31.05.2022 within four weeks from the date of receipt of communication of the instant order. The Court will thereafter

proceed to decide the dispute in accordance with law.

Order Date :- 13.10.2023

Anurag/-

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