

Court No. - 32

Case :- WRIT - C No. - 33547 of 2023

Petitioner :- Umesh Cand Mangal

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sanjay Kumar Mishra

Counsel for Respondent :- C.S.C.,Kaushalendra Nath Singh

Hon'ble Salil Kumar Rai,J.

Hon'ble Surendra Singh-I,J.

The instant petition has been filed for the following reliefs:

"Issue a writ order or direction in the nature of mandamus directing the Noida Authority to allot 5% developed abadi plot to the petitioner in lieu of her acquired land bearing Khasra No. 133 area 0-10-0 begha, of the Revenue Village Sultanpur, Tehsil Dadri, District Gautambudh Nagar.

Issue a writ order or direction in the nature of mandamus directing the respondents to pay 15% rehabilitation bonus to the petitioner in lieu of her acquired land Khasra No.133 area 0-10-0 begha of the Revenue Village Sultanpur, Tehsil Dadri, District Gautambudh Nagar."

Sri Kaushalendra Nath Singh, learned counsel appearing on behalf of Noida Authority points out that the petitioner was paid entire compensation as admitted in para 11 of the writ petition. He tried to contend that the reliefs claimed in the petition are not admissible to the petitioner.

Learned counsel for the petitioner submits that the claim of the petitioner is covered by the judgment of Supreme Court in Ramesh Chandra Sharma & Others vs. State of U.P. & Others; 2023 SCC OnLine SC 162.

Sri Kaushalendra Nath Singh submits that since the petitioner has already withdrawn entire compensation and therefore he is not entitled to benefit of the said judgment. He further submits that the Authority if so directed will still consider the claim of the petitioner and pass a speaking order.

Accordingly without expressing any opinion on merits the petition is disposed of with liberty to the petitioner to make

representation to Noida Authority alongwith true attested copy of the instant order. The representation will be decided by the Authority within eight weeks from the date of receipt of representation alongwith copy of the instant order.

Order Date :- 17.10.2023

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