

Court No. - 21

Case :- WRIT - C No. - 34910 of 2023

Petitioner :- Nirpat Singh Yadav

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

Counsel for Petitioner :- Amod Pandey, Satyendra Kumar Mishra

Counsel for Respondent :- CSC, Sunil Kumar Misra

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. On oral prayer made by counsel for the petitioner, he is permitted to correct the description of respondent no. 3 in the cause title.
2. The instant petition has been filed praying for a writ of mandamus commanding the respondents to release land of Gata No. 299, measuring 12 biswa, or pay compensation for the said land at circle rate and decide the representation of the petitioner dated 25.7.2023 made in this behalf.
3. The case of the petitioner is that although the aforesaid land was acquired under the provisions of the U.P. Avas Evam Vikas Adhiniyam, 1965, the petitioner has not been paid compensation for the same. The case of the petitioner is that over the said land, there exists his abadi and therefore, he is entitled to release of the same, as has been done in case of one Kaushalendra Shukla, in pursuance of decision taken by the Board in its meeting dated 31.5.2016.
4. Sri S.K. Misra, learned counsel appearing on behalf of U.P. Avas Evam Vikas Parishad, states that the claim of the petitioner will be considered within such time as may be directed by this court.

5. Accordingly, without expressing any opinion on merits, the petition is disposed of with direction to the Housing Commissioner, U.P. Avas Evam Vikas Parishad, Lucknow, to decide the claim of the petitioner for release of his land aforesaid, or for payment of compensation within a period of twelve weeks from the date of communication of the instant order along with a fresh representation.

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

Order Date :- 30.10.2023

Jaideep/-