

Court No. - 21

Case :- WRIT - C No. - 35917 of 2023

Petitioner :- Shailesh Kumar

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

Counsel for Petitioner :- Yatindra, Ajay Singh Yadav

Counsel for Respondent :- C.S.C., Pradeep Kumar Tripathi, Ravi Prakash Pandey

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus commanding the respondents to ensure payment of excess area allegedly taken over by the respondents for construction of road. The excess area is stated to be 0.0498 hectare.
2. Concededly, the petitioner was paid compensation as per the area mentioned in the acquisition notification.
3. Sri Pradeep Kumar Tripathi appearing on behalf of G.D.A. is in receipt of instructions. He states that at the time of issuing notification, the area was calculated as per the revenue map. However, the area shown in the khatauni is more. The respondents have applied for correction of the map and dependent upon the outcome of the same, further action would be taken in the matter. In case it ultimately transpires that any excess land of the petitioner has been taken over for construction of road, the respondents will pay compensation for the same.
4. Having regard to the aforesaid submission of learned counsel appearing on behalf of G.D.A., we dispose of the instant petition by providing that the proceedings for correction of map be concluded expeditiously, preferably within twelve weeks subject to cooperation by the petitioner and thereafter take decision in relation to payment of compensation to the petitioner for additional land within next four weeks.

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

Order Date :- 9.11.2023

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