

Court No. - 21

Case :- WRIT - C No. - 36084 of 2023

Petitioner :- Shiv Mohan And 3 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Awadhesh Kumar Singh, Abhai Kumar Singh

Counsel for Respondent :- C.S.C., Sunil Kumar Misra

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a direction to the respondent-Authorities particularly District Magistrate, Varanasi and Special Land Acquisition Officer, Housing, Varanasi, to either pay compensation to the petitioners as per present market value or decide their representation dated 29.09.2023.

2. Shri S.K. Misra, learned counsel for U.P. Avas Evam Vikas Parishad is in receipt of instructions according to which different awards were made in respect of acquired lands between 1982 to 1986. It also includes the land of the petitioners herein. The entire amount is in deposit before the Special Land Acquisition Officer.

3. Learned counsel for both the parties admit that a public notice was issued calling upon the tenure holders to approach the Special Land Acquisition Officer for withdrawal of the compensation amount.

4. Shri A.K. Singh, learned counsel for the petitioners states that the respondents be directed to release the compensation amount payable to the petitioners within a specified time frame.

5. Shri S.K. Misra, learned counsel for U.P. Avas Evam Vikas Parishad submits that as and when the petitioners approach the Special Land Acquisition Officer and complete the formalities for withdrawal of compensation amount, it will be released in their favour.

6. Accordingly, the petition is **disposed of** with liberty to the petitioners to approach respondent No. 4 with true attested copy of the instant order and complete the formalities required for withdrawal of compensation amount. As soon as the aforesaid

formalities are completed, the concerned respondent will ensure release of amount in favour of the lawful claimants.

Order Date :- 31.10.2023

Mukesh Kr.

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