

Court No. - 21

Case :- WRIT - C No. - 36900 of 2023

Petitioner :- Nirdosh Chaudhari

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Neetu, Ashutosh Singh

Counsel for Respondent :- C.S.C.

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 determine and pay compensation as per provisions of Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
2. It is not disputed that the petitioner had transferred his land in favour of respondent no.2 by various sale deeds executed in the year 2014. In para 18 of the writ petition, it is stated that the petitioner was paid additional sum also after execution of the sale deed. In para 19, it is alleged that even after payment of additional amount, the compensation paid is not in accordance with the provisions of the Act.
3. Since the transfer of land was on basis of consent and the sale consideration was specified in the conveyance deed, therefore, we are of considered opinion that the instant petition filed almost 10 years after execution of the sale deed raising claim for higher compensation is wholly frivolous and abuse of the process of law.
4. Sri Ashutosh Singh, counsel for the petitioner, states that he does not wish to press the petition.
5. Accordingly, the petition is dismissed as not pressed.

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

Order Date :- 9.11.2023

SL