

Court No. - 46

Case :- WRIT - C No. - 35569 of 2023

Petitioner :- Usha Devi

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

Counsel for Petitioner :- Shreesh Bahadur Tripathi

Counsel for Respondent :- CSC,Dharmendra Singh
Chauhan,Shyam Mani Shukla

Hon'ble Ashwani Kumar Mishra,J.

Hon'ble Syed Aftab Husain Rizvi,J.

Grievance is that constructions raised on the road by respondent no.4 is not being demolished despite the order passed by the development authority.

Law is settled that road is for movement of public at large and no construction upon it can be allowed to be raised. Section 26-C of the U.P. Urban Planning Development Act, 1973 vests jurisdiction with the authority to ensure that no constructions are allowed to exist on the road.

In that view of the matter, we dispose of the writ petition with the direction upon the respondent no.2 to examine petitioner's grievance and ensure that appropriate action as may be warranted in law is taken upon petitioner's representation after notice to respondent no.4, within a period of six weeks from the date of presentation of a certified copy of this order.

Order Date :- 13.10.2023

Ashok Kr.