

Chief Justice's Court

Case :- WRIT - C No. - 35990 of 2023

Petitioner :- Hemant Kumar And Another

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Lokesh Kumar Dwivedi

Counsel for Respondent :- C.S.C.,Anjali Upadhya

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ashutosh Srivastava,J.

Grievance of the petitioners is that the impugned show-cause notice under Section 10 of the Uttar Pradesh Industrial Area Development Act, 1976 has been issued without name whereas the name of the petitioner is Hemant Kumar.

Counsel for the petitioners, however, fairly admits that they have purchased the property in question from Yogi Raj Dhingra and Lalit Dhingra. It has been argued that in the show-cause notice it has not been mentioned as to what violation has been committed by the petitioners and, therefore, details of the same may be provided to them. He, however, submits that he is accepting the show-cause notice as served to him, however, two weeks' time may be given to him for filing reply to the show-cause notice.

Counsel representing the Development Authority submits that whatever the details are required, the same have been given in the impugned notice.

Be that as it may, two weeks' time is granted to the petitioners to file reply to the show-cause notice disclosing all the points. In the eventuality of doing so, it is expected from the Development Authority to decide the same, in accordance with law, within a further period of two weeks, considering all aspects of the case.

With the aforesaid observation, the writ petition is **disposed of**.

It is made clear that we have not expressed any opinion on merits of the case.

For the period of one month from today, no coercive steps shall be taken against the petitioners. However, immediately after expiry of one month, appropriate orders would be passed.

Order Date :- 17.10.2023

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(Ashutosh Srivastava, J) (Pritinker Diwaker, CJ)