

Court No. - 21

Case :- WRIT - C No. - 36223 of 2023

Petitioner :- Virender Singh And Another

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

Counsel for Petitioner :- Ganga Dhar Shukla, Sanjeev Kumar

Counsel for Respondent :- C.S.C, Kaushalendra Nath Singh

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed for the following relief:

"Issue a writ order or direction in the nature of mandamus directing the Noida Authority to allot 5% developed abadi plot to the petitioners in lieu of their acquired land bearing Khasra No. 810, area 2.4326 hectare of the Revenue Village Shahdara, Pargana Dadri, Tehsil Sadar, District Gautambudh Nagar."

2. Sri Kaushalendra Nath Singh, learned counsel appearing on behalf of Noida Authority points out that the petitioners were paid 90% compensation as admitted in para 6 of the writ petition. He tried to contend that the reliefs claimed in the petition are not admissible to the petitioner.

3. Learned counsel for the petitioners submits that the claim of the petitioners is covered by the judgment of Supreme Court in **Ramesh Chandra Sharma & Others vs. State of U.P. & Others; 2023 SCC OnLine SC 162**.

4. Sri Kaushalendra Nath Singh submits that since the petitioners have already withdrawn compensation and therefore they are not entitled to benefit of the said judgment. He further submits that the Authority if so directed will still consider the claim of the petitioners and pass a speaking order.

5. Accordingly without expressing any opinion on merits, the petition is disposed of with liberty to the petitioners to make representation to Noida Authority alongwith true attested copy of the instant order. The representation will be decided by the Authority within eight weeks from the date of receipt of representation alongwith copy of the instant order.

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

Order Date :- 18.10.2023

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