

Court No. - 21

Case :- WRIT - C No. - 36157 of 2023

Petitioner :- Sudeep Kumar And 4 Others

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

Counsel for Petitioner :- Abhishek Kumar Chaubey

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

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Donadi Ramesh,J.

1. Although several prayers have been made in the writ petition, but at the time of making oral submissions, Sri Randhir Singh Duhan, Advocate, appearing for the petitioners, submits that the petitioners have been denied 5% developed abadi plot in lieu of acquisition of their land on the ground that they were *Gair Pushtaini Kashtakar*. It is submitted that the discrimination made by the Authority between *Pushtaini Kashtakar* and *Gair Pushtaini Kashtakar* has been held to be illegal and arbitrary by the Supreme Court in **Ramesh Chandra Sharma & others vs. State of U.P. & others; 2023 SCC OnLine SC 162**.

2. The brief holder of Sri Kaushalendra Nath Singh, submits that the petitioners admit in para 12 of the writ petition that they have withdrawn the entire compensation amount, still the Authority is ready to consider the claim of the petitioners in terms of the judgment of Supreme Court.

3. Accordingly, without expressing any opinion on merits, the petition is disposed of with liberty to the petitioners to make representation to Noida Authority along with 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

Jaideep/-