

Court No. - 46

Case :- WRIT - C No. - 36495 of 2023

Petitioner :- Ramesh Chandra Srivastava

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

Counsel for Petitioner :- Ram Krishna Mishra, Brajesh Kumar Singh

Counsel for Respondent :- CSC, Arun Kumar, Pawan Kumar Singh

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

The petitioner is aggrieved by an order dated 16.10.2019, whereby his application for sanction of map has been rejected, primarily on the ground that there are no fixed points to determine the identity of petitioner's land.

Learned counsel for the petitioner states that in other portion of his plot map has already been sanctioned by the authority.

Sri Arun Kumar, appearing for the Development Authority, submits that order impugned is dated 16.10.2019 against which writ petition has been belatedly filed after four years. It is also submitted that the order impugned otherwise is appealable in terms of Section 15(5) of The Uttar Pradesh Urban Planning & Development Act, 1973. Contention is that in such circumstances, the writ petition be not entertained.

In the writ petition it is asserted that the petitioner was not served with copy of the order dated 16.10.2023.

Be that as it may, once the petitioner has remedy of preferring appeal against the order impugned, we are not inclined to entertain the writ petition, directly. In the event the petitioner prefers an appeal, within two weeks from today, the same shall be entertained on merits and the appellate authority shall make an endeavour to dispose off the appeal itself, in accordance with law, at the earliest possible. Writ petition stands disposed off, accordingly.

Order Date :- 20.11.2023

MN/-