

Court No. - 21

Case :- WRIT - C No. - 37468 of 2023

Petitioner :- Hema And 3 Others

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

Counsel for Petitioner :- Harendra Singh, Navin 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 praying for a writ of mandamus commanding the Noida Authority to pay compensation to the petitioners @ Rs.44,000/- per square meter in place of Rs.22,000/- per square meter in light of the judgment and order dated 21.10.2011 passed in **Gajraj and others vs. State of U.P. and others, 2011 (11) ADJ 1.**

2. It is noteworthy that the petitioners became entitled to allotment of a developed residential plot to the extent of 10% of the acquired land subject to maximum of 2500 square meter. In lieu of the developed land, the petitioners were paid compensation @ Rs.22,000/- per square meter. The petitioners agreed for the same and also filed an affidavit accepting the amount. This is admitted by learned counsel for the petitioners while making oral submission.

3. Shri Kaushlendra Nath Singh, learned counsel appearing for Noida Authority submits that in view of above undisputed factual position, claim for payment of compensation @ Rs.44,000/- per square meter is not sustainable in law. He has placed reliance on a judgment dated 1.2.2023 in **Smt. Kamlesh Devi and 11 others vs. State of U.P. and 2 others (Writ - C No. 2002 of 2023).**

4. Counsel for the petitioners does not dispute the same.

5. Accordingly, the instant petition is also dismissed for the reasons given in the judgment dated 1.2.2023 in Smt. Kamlesh Devi and 11 others vs. State of U.P. and 2 others (Writ - C No. 2002 of 2023).

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

Order Date :- 31.10.2023

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