

Court No. - 39

Case :- WRIT - C No. - 37761 of 2023

Petitioner :- Ashok Kumar Tyagi And 9 Others

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

Counsel for Petitioner :- Sandeep Saxena, Samarth Krishna

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

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Heard Sri Samarth Krishna, learned counsel for the petitioners, Ms. Anjali Upadhyaya, learned counsel appearing for the Industrial Development Authority and the learned Standing Counsel for the State respondents.

2. At present it is undisputed that in response to the notice dated 6.9.2023, no consequential order has been passed by the respondent authority. At the same time, petitioners claim to have filed their objections to the notice dated 6.9.2023.

3. In view of the fact that the impugned show-cause notice is not an order, we decline to offer interference under Article 226 of the constitution of India.

4. As to the proceeding that may be pending, without entering into the merits we **disposed of** the writ petition with the observation subject to the petitioners filing their individual objections to the notices received by them, within a period of two week from today, as may be supported by their personal affidavits annexing thereto all documents on which the petitioners may seek to rely, the competent authority of the Greater Noida may pass appropriate reasoned order dealing with such objections within a period of three weeks therefrom.

5. Subject to compliance made by the petitioners, for a period of eight weeks or disposal of the objection that may be filed by the petitioners, whichever is earlier, no coercive action shall be taken against the petitioners pursuant to the impugned notice.

Order Date :- 9.11.2023

Abhishek Singh

(Shiv Shanker Prasad, J.) (Saumitra Dayal Singh, J.)