

Chief Justice's Court

Case :- WRIT - C No. - 38812 of 2023

Petitioner :- Smt Saswati Sen

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

Counsel for Petitioner :- Ram Chandra Srivastava, Manoj Kumar Singh

Counsel for Respondent :- CSC, Anjali Upadhyaya

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Ashutosh Srivastava, J.

1. Heard Shri Manoj Kumar Singh, learned counsel for the petitioner, learned Standing Counsel for the State-respondent and Ms. Anjali Upadhyaya, learned counsel for respondent Nos. 2 & 3.
2. According to the petitioner, in the year 1998 a plot was allotted to him and the lease deed was also executed in the year 1998. The petitioner was required to raise construction within a period of seven years. However, the same could not be done and the petitioner moved an application seeking extension of time.
3. Learned counsel for the petitioner submits that his application, filed in the month of August, 2023 seeking extension, is pending before the Competent Authority, but the same has not been decided till date.
4. He submits that purpose of filing this petition would be served, if directions are issued to the Competent Authority to decide the pending application.
5. Learned counsel appearing for the Development Authority submits that let the petitioner file a fresh application within two weeks' from today and in turn, appropriate orders would be passed by the Competent Authority within further two months.
6. The proposal given by the learned counsel for the Development Authority is acceptable to the learned counsel for the petitioner.
7. Considering the submissions advanced, this Court is of the opinion that no useful purpose would be served by keeping the writ petition pending and the same is accordingly, ***disposed of*** permitting the petitioner to file a comprehensive application

clearly setting out his claim within a period of 15 days from today before the Competent Authority.

8. In the eventuality of filing such a representation, it is expected that the Competent Authority shall proceed to decide the representation after considering all aspects of the matter, strictly in accordance with law, preferably within a period of two months from the date of service of application along with certified copy of the order of this Court.

9. Needless to say that this Court has not expressed any opinion on the merits of the case and it shall be open for the Competent Authority to pass appropriate orders.

Order Date :- 8.11.2023

Ravi Prakash

(Ashutosh Srivastava, J.) (Pritinker Diwaker, CJ)