

Chief Justice's Court

Case :- WRIT - C No. - 38370 of 2023

Petitioner :- Vijay Kumar And Another

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

Counsel for Petitioner :- Sunil Kumar Pandey

Counsel for Respondent :- C.S.C.,Aditya Bhushan Singhal

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ashutosh Srivastava,J.

Heard learned counsel for the petitioners, Sri Aditya Bhushan Singhal, learned counsel for respondent no.3 and learned Standing Counsel appearing for the State-respondents.

In this writ petition, the petitioner has challenged the demolition order dated 28.09.2023, whereby the petitioner has been asked to remove his illegal constructions, else the authority will demolish the same.

Counsel for the petitioner submits that that the petitioners have purchased the plots and after getting permission from Jewar Nagar Panchayat, have constructed their houses.

Counsel for respondent no.3 submits that the order impugned is an appealable order and let the petitioner file an appeal challenging the demolition order dated 28.09.2023.

Accordingly, without expressing any opinion on merits of the case, the writ petition is disposed of permitting the petitioner to file appeal under Rule/Regulation 4(2) of the Yamuna Expressway Industrial Development Authority as well as application for interim relief within 15 days from today. In the eventuality of doing so, the Appellate Authority is directed to decide the same on merits within a further period of three months from the date of service of certified copy of this order. The Authority shall also be at liberty to pass appropriate orders on the application for interim relief.

Till three months from today, no demolition activity shall take place in the land in question.

Order Date :- 7.11.2023

Deepak/

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