

Chief Justice's Court

Case :- WRIT - C No. - 39360 of 2023

Petitioner :- Ramendra Kumar Sachan

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

Counsel for Petitioner :- Kartikeya Saran, Devaang Savla

Counsel for Respondent :- C.S.C., Kaushalendra Nath Singh

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Ashutosh Srivastava, J.

1. Heard Shri Kartikeya Saran, learned counsel for the petitioner, learned Standing Counsel for State-respondents and Shri Kaushalendra Nath Singh, learned counsel for respondent No. 2-Development Authority.

2. Grievance of the petitioner is that he was the owner of Gata No. 141, admeasuring 836.10 square meter, situated in Village-Bhangel Begampur, Pargana & Tehsil- Dadri, District-Gutam Budha Nagar and under the Lease Back Policy, applied for lease back of the land in question. When no order was passed by the competent authority, petitioner filed a writ petition before this Court which was decided vide order dated 26.09.2014 directing the authority to decide the claim of the petitioner. In the meanwhile, the petitioner had sold the property to one Mr. Rakesh Giri on 11.06.2013. Despite the order of this Court, when nothing was done, the said Rakesh Giri filed a writ petition before this Court which was not entertained on merit on the ground that it is the original owner alone who would be entitled for benefit under Lease Back Policy.

3. Learned counsel representing Development Authority submits that the case of the petitioner is concluded one and he has no right to get the benefit of the policy.

4 . Be that as it may, we are not satisfied with the stand taken by the Development Authority and therefore, we **dispose of** the writ petition directing the Development Authority to decide the claim of the petitioner within two months from the date of filing of certified copy of this order by passing speaking order after considering all the documents and previous orders passed by this Court.

Order Date :- 16.11.2023

Mukesh Pal

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