

Court No. - 46

Case :- WRIT - C No. - 40824 of 2023

Petitioner :- Atul Narang And Another

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

Counsel for Petitioner :- Mohd. Hesamuddin Khan

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

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Heard learned counsel for the parties.

The petitioners asserts that their land has been acquired by Greater Noida vide notification issued under section 4/1 dated 26.05.2009 as well as declaration issued under section 6/17 on 19.01.2010. It is submitted that a recommendation has been made by Special Land Acquisition Officer/ Additional District Magistrate (Land Acquisition) Gautam Budh Nagar on 06.06.2022 for payment of additional compensation in terms of the full Bench Judgment of this Court in the case of Gajraj and ors vs. State of U.P. (2011) vol- 11 page-1. It is submitted that despite such recommendation made, the authorities have withheld the payment of additional compensation.

Ms. Anjali Upadhya appearing for the Greater Noida Authority states that an appropriate decision would be taken in the matter relating to grant of additional compensation to the petitioner.

In view of the stand so taken by learned counsel appearing for Greater Noida Authority, we dispose of this petition with a direction upon the second respondent to accord consideration to petitioner's claim, in the light of the recommendation made by SLO on 06.06.2022, and in accordance with law, within a period of three months from the date of presentation of a copy of this order.

All issues on merits are left open for determination at the level of the second respondent, at the first instance.

Order Date :- 28.11.2023 /C. MANI