

**Court No. - 21**

**Case :-** WRIT - C No. - 42051 of 2023

**Petitioner :-** Prabhu Nath Kushwaha And 28 Others

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

**Counsel for Petitioner :-** Shivangi Tripathi, Bharat Singh Pal

**Counsel for Respondent :-** C.S.C., Arun Kumar, Harsh Vardhan Gupta

**Hon'ble Manoj Kumar Gupta, Acting Chief Justice**

**Hon'ble Donadi Ramesh, J.**

1. Heard Shri Bharat Singh Pal, learned counsel for the petitioners, learned Standing Counsel for the State and Shri Arun Kumar, learned counsel appearing for the Development Authority.
2. The petitioners have prayed for a writ of mandamus restraining the respondents from taking any coercive action against them in pursuance of notice dated 18.09.2023, under Section 27 of Uttar Pradesh Urban Planning and Development Act, 1973.
3. Learned counsel for the petitioners submits that although the petitioners have already replied to the aforesaid notice and no decision has been taken by the concerned respondent, thereupon, but still the officials of the respondent-Development Authority are regularly visiting them and threatening them to demolish their houses.
4. Shri Arun Kumar, learned counsel for the Development Authority states that no action would be taken against the petitioners without deciding their objections.
5. Accordingly, the petition is disposed of by providing that the competent authority will decide the objections by a speaking order, in accordance with law and until the objections are decided, no coercive action shall be taken against the petitioners.

(Donadi Ramesh, J.)      (Manoj Kumar Gupta, A.C.J.)

**Order Date :-** 6.12.2023

Mukesh Pal