

Court No. - 21

Case :- WRIT - C No. - 41827 of 2023

Petitioner :- Ajay Mittal And Another

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

Counsel for Petitioner :- Vidya Prakash Singh

Counsel for Respondent :- CSC, Anjali Upadhya

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus commanding the respondents not to interfere in the peaceful possession of the petitioners in respect of their house existing over khasra no. 251 M, Village Haibatpur Pargana and Tehsil Dadri, District Gautam Budh Nagar.

2. The case of the petitioners is that the petitioners have purchased a house, which is constructed over an area of 320 square yard. The State Government had acquired an area measuring 1.5800 hectares of khasra no. 251M. The rest of the area is unacquired land and over a part of which, the house of the petitioners is in existence. The respondents have not issued any show cause notice to the petitioners, but they are threatening to demolish their constructions.

3. Ms. Anjali Upadhya, learned counsel appearing on behalf of respondent no.4-NOIDA Authority is in receipt of instructions. She states that the authority is not taking any action against the petitioners. She further submits that in case, any action is taken in future, due process of law will be followed.

4. Accordingly and in view of the statement made by learned counsel for respondent no.4, we dispose of the instant petition by providing that the petitioners shall not be dispossessed nor

their constructions shall be demolished, except in accordance with law.

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, ACJ.)

Order Date :- 5.12.2023

Noman