

Court No. - 21

Case :- WRIT - C No. - 41869 of 2023

Petitioner :- Ravinder Kumar And 3 Others

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

Counsel for Petitioner :- Pankaj Dubey, Rishu Mishra

Counsel for Respondent :- CSC, Kaushalendra Nath Singh

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed for the following reliefs:

"Issue a writ, order or direction in the nature of mandamus commanding the Respondent no.2 and 3 to release the compensation according to the Pustaini Rate and also allot 5% Develop Abadi Land in lieu of petitioners acquired land i.e. 1/3 of Khasra Nos.10 M area 0.1260 Hect, Khasra No.59 area 0.278 Hect., Khasra No.82 area 0.1640 Hect., Khasra No.92 area 0.733 Hect. and 235/4 area 0.0657 Hect, Khasra No.113/1 area 0.1270 Hect., and Khasra No.113/3 area 0.0622 Hect., of revenue Village Begampur, Pargana Dadri, Tehsil Sadar, District Gautam Budh Nagar.

Issue a writ, order or direction in the nature of mandamus commanding the Respondent no.2 to decide the representation made by the petitioners on 20.08.2023."

2. Sri Kaushalendra Nath Singh, learned counsel appearing on behalf of Noida Authority points out that the petitioners were paid entire compensation as admitted in para 9 of the writ petition. He tried to contend that the reliefs claimed in the petition are not admissible to the petitioners.

3. Learned counsel for the petitioners submits that the claim of the petitioners is covered by the judgment of Supreme Court in **Ramesh Chandra Sharma & Others vs. State of U.P. & Others; 2023 SCC OnLine SC 162.**

4. Sri Kaushalendra Nath Singh submits that since the petitioners have already withdrawn entire compensation and therefore they are not entitled to benefit of the said judgment. He further submits that the Authority if so directed will still consider the claim of the

petitioners and pass a speaking order.

5. Accordingly without expressing any opinion on merits the petition is disposed of with liberty to the petitioners to make representation to Noida Authority alongwith true attested copy of the instant order. The representation will be decided by the Authority within eight weeks from the date of receipt of representation alongwith copy of the instant order.

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

Order Date :- 5.12.2023

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