Court No. - 21

Case :- WRIT - C No. - 42406 of 2023

Petitioner :- Rajbir
Respondent :- State Of U.P. And 2 Others
Counsel for Petitioner :- Syed Fahim Ahmed
Counsel for Respondent :- C.S.C.,Kaushalendra Nath Singh

Hon'ble Manoj Kumar Gupta,Acting Chief Justice
Hon'ble Donadi Ramesh,J.

1. The prayer made in the instant petition is for a direction in the nature of mandamus to the respondents to allot 5% developed land to the petitioner in the light of the judgement of Supreme Court dated 20.02.2023 passed in Civil Appeal No.8819 of 2022.

2. The submission of learned counsel for the petitioner is that the said distinction has been held to be illegal and arbitrary by the Supreme Court in ***Ramesh Chandra Sharma & others vs. State of U.P. & others; 2023 SCC OnLine SC 162.***

3. Sri Kaushalendra Nath Singh, learned counsel appearing for the Noida Authority very fairly states that claim of the petitioner would be examined in accordance with the aforesaid law.

4. Accordingly, the petition is **disposed of** with direction to respondent no. 2 to pass a speaking order on the claim of the petitioner for allotment of 5% abadi land in lieu of acquisition of their land, having regard to the judgment of Supreme Court in ***Ramesh Chandra Sharma & others vs. State of U.P. & others; 2023 SCC OnLine SC 162,*** within a period of eight weeks from the date of communication of the instant order alongwith fresh representation.

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

Order Date :- 8.12.2023
Ankit.

Digitally signed by :-
ANKIT VISHWAKARMA
High Court of Judicature at Allahabad