

Court No. - 21

Case :- WRIT - C No. - 42521 of 2023

Petitioner :- Udai Shankar Bajapai

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

Counsel for Petitioner :- Pradeep Chauhan

Counsel for Respondent :- C.S.C.,Anand Prakash Paul

Hon'ble Manoj Kumar Gupta,Acting Chief Justice

Hon'ble Kshitij Shailendra,J.

1. The petitioner has challenged a show cause notice dated 19.09.2023 issued by the respondent no.4 requiring the petitioner to show cause as to why constructions raised by him be not demolished. The notice purports to be under Section 26-A of U.P. Urban Planning and Development Act, 1973.

2. Learned counsel for the petitioner states that the petitioner has already replied to the notice but the respondents without taking any final decision are threatening to demolish the constructions.

3. Sri A.P. Paul, learned counsel appearing for the Development Authority, states that no demolition will be carried out without passing final order.

4. Accordingly, the petition is disposed of with direction to the Development Authority to take a final decision in the matter in accordance with law, within a period of four weeks from the date of communication of the instant order and until the same is taken, no coercive action shall be taken against the petitioner.

5. The petitioner shall file copy of the order before the Development Authority within one week from today, failing which the protection granted to the petitioner would stand discharged automatically and it shall become open to the respondents to proceed further with the matter in accordance with law.

Order Date :- 15.12.2023

AKShukla/-

(Kshitij Shailendra, J.) (Manoj Kumar Gupta, A.C.J.)