

Court No. - 3

Case :- WRIT - C No. - 7573 of 2023

Petitioner :- Girdhari

Respondent :- Union Of India Thru. Its Secy. Ministry Of Road And Transport, New Delhi And Others

Counsel for Petitioner :- Deepak Kumar,Kapil Dev Srivastava

Counsel for Respondent :- A.S.G.I.,Amrish Rai,C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Learned counsel for the petitioner prays for and is permitted to implead Uttar Pradesh Expressway Industrial Development Authority through Chief Executive Officer and Project Director, Ganga Expressway Project as respondent nos. 5 & 6, respectively.

Let necessary correction be made during course of the day.

Heard learned counsel for petitioner, Sri S.B. Pandey, learned D.S.G.I. assisted by Sri Varun Pandey for the Union of India and the learned Standing Counsel for the State.

Petitioner has approached this Court with the following main prayer.

"i. Issue a writ, order or direction in the nature of mandamus thereby commanding the opposite party no.2 to pay the compensation to the petitioner for acquiring the land at Gata No.545/1 measuring 0.7590 hectare situated at Village: Sadabar Pargana & Tehsil Safipur, District Unnao which was acquired for construction of Ganga Expressway as contained in Annexure No.1.

ii. Issue a writ, order or direction in the nature of mandamus commanding the opposite party nos. 2 & 3 to decide the petitioner's application as contained in Annexure No.2 & 3."

Learned counsel for petitioner submits that grievance of petitioner would be substantially met in case application/representation of petitioner for the said purposes is considered and decided in a time bound manner.

Learned counsel for respondents have no objection to the same.

In view thereof, petitioner is permitted to make a fresh detailed application/representation to respondent no.5-Chief Executive Officer, Uttar Pradesh Expressway Industrial Development Authority, raising all his grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of his claim within a period of two weeks from today along with a certified copy of this order.

In case such a representation is moved by petitioner, respondent no.5, shall consider and decide the same in accordance with law by a reasoned and speaking order within a period of two months from the date a certified copy of this order along with representation is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, present writ petition is disposed of.

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(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 27.10.2023

Arjun/-