

Court No. - 3

Case :- WRIT - C No. - 8450 of 2023

Petitioner :- U.R.Ganesh Infrass. Pvt. Ltd. Thru. Its Director Arvind Singh Rathore

Respondent :- State Of U.P. Thru. Addl. Chief Secy./Prin. Secy. Industries Deptt. Of Infrastructu Devel And 2 Ors

Counsel for Petitioner :- Asit Srivastava

Counsel for Respondent :- C.S.C., Prashant Kumar

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard Sri Asit Srivastava, learned counsel for the petitioner, learned Standing Counsel and Sri Pranav Tanwar and Sri Kushagra Dixit holding brief of Sri Prashant Kumar, learned counsel for the respondent no.2.

Petitioner has approached this Court challenging the order dated 11.08.2023, passed by the State Government while exercising its jurisdiction under Section 41(3) of the U.P. Urban Planning and Development Act, 1973, read with Section 12 of U.P. Industrial Area Development Act, 1976, whereby the revisional authority has directed for execution of the sub-lease deed in favour of the petitioner as per the penalty etc. upheld in the said order.

Today, by way of the supplementary affidavit, a communication dated 06.11.2023, is placed before this Court whereby the respondent no.2/Yamuna Expressway Industrial Development Authority has raised the final demand against the petitioner. The said demand is an amount of Rs.13,65,39,639.86/-, the same also provides the breakup. The final payment, as per the said demand letter, is to be made by October, 2024, however larger chunk of the amount is required to be paid by 31.12.2023.

Learned counsel for the petitioner, after arguing at

some length, states that the petitioner is ready and willing to pay the entire amount of Rs. 13.65 Crores as demanded, however the said amount may be accommodated in the installments. He further states that the petitioner is willing to clear the entire dues by the month of August, 2024 instead of October, 2024, but in better and easier installments.

Learned counsel for the respondents, however, states that the sub-lease deed can only be executed after the entire amount is paid by the petitioner.

In view thereof, it is provided that the petitioner shall pay an amount of Rs.3.5 crores by 31.12.2023. The remaining amount shall be paid by the petitioner in equal monthly installments to be cleared by 31.08.2024. The interest on the aforesaid amount, if any, accrued, the same shall also be paid by the petitioner by 31.08.2024. After the entire amount, as stated hereinabove, is paid by the petitioner by 31.08.2024, the respondent no.2, shall execute the sub-lease deed in favour of the petitioner within two months i.e. by the end of October, 2024. It is made clear that no application for further extension of time shall be entertained.

With the aforesaid directions, the writ petition stands **disposed of**.

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

Order Date :- 23.11.2023
Arjun/-