

Court No. - 3

Case :- WRIT - C No. - 9481 of 2023

Petitioner :- Neetu Rawat

Respondent :- State Of U.P. Thru. Prin. Secy. Housing And Urban Plannig Deptt. Civil Sectt. Lko. And Others

Counsel for Petitioner :- Anil Kumar Maurya, Shyam Kumar Tiwari

Counsel for Respondent :- C.S.C., Anupam Dwivedi

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Petitioner has approached this Court claiming that under the Economic Weaker Category, a house was allotted to the petitioner of which possession was also given to him on 24.05.2017 but now it is claimed by a communication dated 27.07.2023 that no dues certificate cannot be given to him as the dues of the said house are not paid and therefore, a notice dated 23.09.2023 is paid to the petitioner for vacating the same claiming that his possession letter is forged.

Learned counsel for the petitioner submits that no opportunity of hearing was given to the petitioner while passing the said order and directions issued for eviction.

Learned Standing Counsel and learned counsel representing the respondent nos. 2 and 3 could not show from record that till date any opportunity of hearing is given to the petitioner.

In the given facts and circumstances of the case, it is provided that petitioner may submit his detailed reply to the notice dated 23.09.2023 issued to him for eviction. Such objection shall be submitted by the petitioner within a period of two weeks from today annexing therewith certified copy of this order.

Respondent no. 3-Project Officer, District Urban Development Agency (DUDA), Lucknow shall give personal opportunity of hearing to the petitioner and decide the same by passing reasoned and speaking order in accordance with law. Such order shall be passed by the respondent no. 3 within a period of four weeks from the date of submission of reply by the petitioner.

Any action against the petitioner shall be subject to the orders to be passed by the respondent no. 3. In case, reply to the notice is not submitted by the petitioner within the stipulated time, the benefit of this order shall not be available to him.

Writ petition is disposed off.

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

Order Date :- 31.10.2023/Ashish