

Court No. - 3

Case :- WRIT - C No. - 9664 of 2023

Petitioner :- Devendra Kumar And 2 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Industrial Development U.P. Lko. And 3 Others

Counsel for Petitioner :- Anuj Kudesia, Umesh Kumar Yadav

Counsel for Respondent :- C.S.C., Varun Pandey

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard Sri Anuj Kudesia, learned counsel for the petitioner, learned Standing Counsel for the State and Sri Varun Pandey, learned counsel for respondent no. 2.

Petitioners have approached this Court for a mandamus restraining the respondents not to raise any construction over the land belonging to the petitioner bearing Gata Nos. 57, 513, 519, 261, 262, 262SA, 265SA, 259 situated at village Bhatgaon, Tehsil Sarojini Nagar, District Lucknow.

Counsel for the petitioner states that before taking possession of the land, a public notice under Section 21 is required to be published by the Collector on his website and the same is also required to be published at convenient places on or near the land stating that the Government intends to take the same.

Learned Standing Counsel and counsel for the UPEIDA state that the possession is not yet taken and further states that notice under Section 21 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is already published and now the matter is fixed for hearing on 29.11.2023 before the Additional District Magistrate (Land Acquisition-II), Nagar Mahapalika-Pratham, 6, Jagdish Chandra Bose Marg, Lalbagh, Lucknow.

The statement made by learned Standing Counsel and counsel for the UPEIDA that neither possession is taken nor any constructions are being raised is taken on record.

Petitioner is permitted to appear before the Land Acquisition Officer concerned with regard to notice under Section 21 of the Act, 2013 and file all his objections.

It is expected that the Land Acquisition Officer concerned will decide the proceedings as expeditiously as possible.

Writ petition is disposed of accordingly.

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

Order Date :- 7.11.2023

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