

Court No. - 1

Case :- WRIT - C No. - 10298 of 2023

Petitioner :- Levana Hospitality Llp, Lko. Thru. Authorized Signatory Mr. Rajesh Mishra

Respondent :- State Of U.P. Thru. Addl. Chief/Prin. Secy. Deptt. Of Housing And Urban Planning Lko. And Others

Counsel for Petitioner :- Ravi Singh, Siddharat Singh

Counsel for Respondent :- C.S.C., Ratnesh Chandra

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. Supplementary affidavit filed by learned counsel for the petitioner in Court today is taken on record.

2. Heard learned counsel for the petitioner, Shri Ratnesh Chandra, learned counsel for the respondent Nos.3 to 6- Lucknow Development Authority and learned Standing Counsel for State-respondent Nos.1, 2.

3. By means of instant writ petition, the petitioner seeks following reliefs:-

"I. A writ, order or direction in the nature of certiorari for quashing the impugned order dated 12-10-2023 passed by Lucknow Development authority contained as Annexure-4 to the present Writ Petition.

II. A writ, order or direction in the nature of mandamus commanding to the opposite party no.3 to allow the petitioner access of the 'Levena Suites hotel' situated at 18, Madan Mohan Malviye Marg, hazratganj, Lucknow-226001, for inspection of the building to be done by Insurance Company for releasing of the insurance claim no. OG-23-1301-4057-00000002, which is sealed after unfortunate fire accident occurred on 05/09/2022, by the Lucknow development authority."

4. The impugned order dated 12.10.2023 makes a reference to writ petition No.6112/C/2023 which is pending. The operative part of the order dated 20.07.2023 passed in Writ-C No.6112 of 2023 reads as under:-

"On his request, list this matter on 28th of July, 2023 as fresh alongwith

Writ-C No.4339 of 2023 before appropriate Bench. This matter may not be treated as tied up or part heard with this Bench.

Till next date of listing, it is expected that no adverse action may be taken without bringing it to the notice of the Court"

5. Once the Court has secured the interest of the petitioner in respect of all adverse action to be taken by bringing to the notice of the Court, there is no reason as to why the present petition arising out of the order dated 12.10.2023 passed by the Zonal Officer, Enforcement Zone-6 may be treated to be fresh cause.

6. In view of the above, we leave it open to the petitioner to make an appropriate application before the court concerned. In case any such application is filed, the same is requested to be decided expeditiously in accordance with law.

7. The writ petition is, accordingly, **disposed of**.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 4.12.2023
Shubhankar