

Court No. - 3

Case :- WRIT - C No. - 10478 of 2023

Petitioner :- M/S Hind Plywood Industry , Lko. Thru.

Managing Partner Paramjeet Singh And Another

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

Counsel for Petitioner :- Aprajita Bansal,Anilesh Tewari

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

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard.

It appear that there are certain proceedings going on between the Development Authority and private respondent no. 6 in which the Development Authority is likely to pass certain orders.

Petitioner has approached this Court claiming that he has certain rights as per the order of Hon'ble Supreme Court with regard to the said property.

In view thereof, petitioner should also be given an opportunity of hearing in the proceedings pending before the Development Authority with regard to respondent no. 6.

Learned counsel for the Development Authority informs the Court that as per order dated 31.03.2017 passed by Hon'ble the Supreme Court in Special Leave Appeal (Civil) No. 3574 of 2017 (M/s Hind Plywood Industry & Anr. vs. The State of U.P. and Ors.) filed by the petitioner, Hon'ble the Supreme Court, while dismissing the said appeal directed the petitioner to hand over the vacate possession of the said property within eighteen months. the possession of the same was given within the said period of eighteen months. However, a dispute with regard to certain portion is still pending. He further submits that the said order of Hon'ble the Supreme Court further provides that petitioner can proceed to claim his title and in case, petitioner succeeds, he shall have right to also apply for restitution under Section 144 of C.P.C in accordance with law. Thus, as per the Development Authority, petitioner has no right to contest the proceedings or interfere with regard to respondent no. 6. He further informs that the said

proceedings are also already concluded by order dated 23.11.2023.

In view thereof, no further orders are required to be passed in the present writ petition as the proceedings of respondent no. 6 are already concluded.

It goes without saying that in case, any rights of the petitioner are impacted by any of the orders passed by the Development Authority, it shall always be open for the petitioner to challenge the same in accordance with law.

With the aforesaid, writ petition is disposed of.

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

Order Date :- 4.12.2023

Nitesh