

**Court No. - 3**

**Case :-** WRIT - C No. - 10716 of 2023

**Petitioner :-** M/S Rajdeep Infra And Sale Pvt. Ltd. Lko. Thru.  
Director Sri Raj Kumar Mishra

**Respondent :-** Lko. Development Authority Thru. Vice  
Chairman And Others

**Counsel for Petitioner :-** Pritish Kumar, Amal Rastogi

**Counsel for Respondent :-** Ratnesh Chandra

**Hon'ble Vivek Chaudhary, J.**

**Hon'ble Manish Kumar, J.**

Mr. Shailendra Singh Chauhan, Advocate has filed his vakalatnama of behalf of respondents no. 1 to 4 which is taken on record.

Heard Mr. Om Prakash Tiwari, learned counsel for the petitioner, Mr. Azhar Vikram, Advocate holding brief of Mr. Rishabh Kapoor, learned counsel for respondent no.2, 3 & 4, Mr. Madhav Om, Advocate holding brief of learned counsel for respondent no.5 as well as learned Standing Counsel for the State .

The petitioner has approached this Court on the ground that commercial plot no.5/A, Ratan Khand, Sharda Nagar, Lucknow, was allotted to the petitioner for which he has completed all the formalities and also deposited more than half of the amount, however, the possession of the same as per agreement between the parties has not yet been given to the petitioner.

Learned counsel for petitioner submits that the grievance of petitioner would be substantially met in case representation of petitioner for the said purposes is considered and decided in a time bound manner.

Mr. Shailendra Singh Chauhan, learned counsel for the development authority on the basis of written instructions states that the authority is ready and willing to hand over the possession of the plot to the petitioner and would be done whenever the petitioner approaches the authority on any working day of the vacant physical possession of the plot.

The second grievance of the petitioner is with regard to the demand notice dated 22.09.2023 by which the amount of Rs.5,38,64,929 (Rupees Five Crore Thirty Eight Lacs Sixty four

Thousand Nine Hundred and Twenty Nine only) is demanded from the petitioner. Learned counsel for the petitioner states that there are number of amounts of the same which the petitioner objects including *sukh-suvidha shulk*, labour cess, building construction permission and site inspection fee etc.

Learned counsel for the respondents states that the petitioner can make a representation for the same also to the authority which shall also consider the case of the petitioner and and pass appropriate orders.

Learned Standing Counsel has no objection to the same.

In view thereof, petitioner is permitted to approach the authority on any working day within a period of two weeks from today for possession of the said plot for which the authority shall do the needful. Petitioner may also my file his representation within two weeks with regard to demand notice dated 22.09.2023. It goes without saying that the petitioner shall deposit the amount not disputed the said demand notice within the aforesaid of two weeks along with the representation. It shall be open to the petitioner to place any law or facts in his favour. The said representation shall be duly considered and decided in accordance with law by a speaking and reasoned order by the respondent no.1 i.e. Vice-Chairman, Lucknow Development Authority, Pradhikaran Bhawan, Vipin Khand, Gomti Nagar, Lucknow within a period of six weeks from the date a certified copy of this order along with representation is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, present writ petition is **disposed of**.

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

**Order Date :- 11.12.2023**  
Manoj K.