

Court No. - 3

Case :- WRIT - C No. - 10843 of 2023

Petitioner :- Adil Ishtiaq

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

Counsel for Petitioner :- Kazim Ibrahim, Akshay Kumar Singh, Amrit Khare

Counsel for Respondent :- C.S.C., Namit Sharma, Ratnesh Chandra;

(1) Case :- WRIT - C No. - 10844 of 2023

Petitioner :- Mohammad Adil

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

Counsel for Petitioner :- Kazim Ibrahim, Akshay Kumar Singh, Amrit Khare

Counsel for Respondent :- C.S.C., Namit Sharma, Ratnesh Chandra;

(2) Case :- WRIT - C No. - 10845 of 2023

Petitioner :- Nameera Khan

Respondent :- State Of U.P. Thru. Addl. Chief/Prin. Secy. Housing And Urban Planning Civil Sectt. Lko And 5 Others

Counsel for Petitioner :- Kazim Ibrahim, Aishvarya Mathur, Amrit Khare

Counsel for Respondent :- C.S.C., Namit Sharma, Ratnesh Chandra;

(3) Case :- WRIT - C No. - 10846 of 2023

Petitioner :- Sabiha Kausar

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

Counsel for Petitioner :- Kazim Ibrahim, Akshay Kumar Singh, Amrit Khare

Counsel for Respondent :- C.S.C., Namit Sharma, Ratnesh Chandra;

(4) Case :- WRIT - C No. - 10847 of 2023

Petitioner :- Shoeb Ahmad

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

Counsel for Petitioner :- Kazim Ibrahim,Akshay Kumar Singh,Amrit Khare

Counsel for Respondent :- C.S.C.,Namit Sharma,Ratnesh Chandra;

(5) Case :- WRIT - C No. - 10848 of 2023

Petitioner :- Muhammad Shoaib Ali

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

Counsel for Petitioner :- Kazim Ibrahim,Aishvarya Mathur,Amrit Khare

Counsel for Respondent :- C.S.C.,Namit Sharma,Ratnesh Chandra;

(6) Case :- WRIT - C No. - 10849 of 2023

Petitioner :- Mohd. Irshad Ali

Respondent :- State Of U.P. Thru. Addl. Chief Secy./Prin. Secy. Housing And Urban Planning Lko. And 5 Others

Counsel for Petitioner :- Kazim Ibrahim,Akshay Kumar Singh,Amrit Khare

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

AND

(7) Case :- WRIT - C No. - 10850 of 2023

Petitioner :- Mohammad Anwar

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

Counsel for Petitioner :- Kazim Ibrahim,Akshay Kumar Singh,Amrit Khare

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

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. On urgency being mentioned in the matters by learned counsel for petitioners, these writ petitions are being taken up today in the Court.
2. Heard Sri J.N. Mathur, learned Senior Advocate assisted by Sri Kazim Ibrahim, Sri Amrit Khare, Sri Akshay Kumar Singh and Ms.Aishvarya Mathur on behalf of the petitioners, learned Standing Counsel for the State/respondents, Sri Ratnesh Chandra, learned counsel for the Lucknow Development

Authority and Sri Namit Sharma, learned counsel appearing for the Lucknow Nagar Nigam.

3. This Bunch of writ petitions is filed by the petitioners against the demolition orders. Admittedly, these persons have already filed their statutory appeals before the respondent no.2/Chairman/Appellate Authority under Section 27(2) of The U.P. Urban Planning and Development Act, 1973. It appears that in some cases there is a few days' delay in filing the appeals. It is informed to the Court that the Appellate Authority has fixed the date 14.12.2023 in all the cases on delay condonation and stay applications.

4. In the given facts and circumstances, it is provided that the petitioners will appear before the respondent no.2/Chairman/Appellate Authority on 14.12.2023 at 11.00 A.M. The respondent no.2/Chairman/Appellate Authority will consider their delay condonation applications as well as the stay applications filed along with the appeals on merits and pass appropriate orders in accordance with law after hearing the petitioners as well as the development authority and/or any other person required in this regard. The orders passed upon the stay and the delay condonation applications or any other order passed by the Appellate Authority shall be provided to the petitioners by the evening of 15.12.2023.

5. In case the orders are passed adverse to the petitioners, actions shall not be taken against the petitioners till 20.12.2023. The aforesaid time is provided to the petitioners to enable them to approach appropriate authority/Court in accordance with law as they apprehend that any adverse order passed against the petitioners may be given effect to without even permitting the petitioners to challenge the same before the appropriate authority/Court.

6. With the aforesaid directions, these writ petitions are **disposed of.**

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

Order Date :- 12.12.2023

Arjun/-