

Court No. - 3

Case :- WRIT - C No. - 10893 of 2023

Petitioner :- Smt. Naushaba Khatoon And Another

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

Counsel for Petitioner :- Chandra Shekhar Pandey, Ashish Kumar Singh, Atul Kumar Mishra

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Om Prakash Shukla, J.

1. Shri Vishwas Shukla, learned counsel, has filed a supplementary affidavit along with *Vakaltnama*, on behalf of petitioners in Court today. The same is taken on record.

2. Heard Shri Vishwas Shukla, learned counsel for the petitioners and Shri Puneet Chandra, learned counsel for respondent Nos.2 and 3- U.P. Avas Vikas Parishad.

3. Petitioners have approached this Court challenging the impugned notice dated 04.12.2023 for ceiling issued by the Executive Engineer, Nirman Khand Lucknow-6 of U.P. Avas Evam Vikas Parishad as well as praying that he may not initiate ceiling proceedings after filing of the present petition, the property stands sealed which fact is admitted by the respondents.

4. In the given circumstances, learned counsel for the petitioners, states that the grievance of the petitioners sufficiently met in case, he is permitted to file reply to the

ceiling notice and the same may be decided expeditiously by respondent No.3.

5. Shri Puneet Chandra, learned counsel for U.P. Avas Vikas Parishad, does not oppose the said prayer.

6. Considering the aforesaid facts and circumstances of the case, petitioners are permitted to file their reply to the ceiling notice before the respondent No.3- Executive Engineer/Prescribed Authority, U.P. Avas Vikas Parishad, Lucknow within a period of 10 days from today, who shall decide objections/reply of the petitioner within a period of four weeks by a reasoned and speaking order in accordance with law and provide a copy of the same to the petitioners.

7. With the aforesaid observation/direction, the instant writ petition stands **disposed of**.

(Om Prakash Shukla, J.) (Vivek Chaudhary, J.)

Order Date :- 18.12.2023
Shubhankar