

Court No. - 2

Case :- WRIT - C No. - 10952 of 2024

Petitioner :- Ajay Prakash Associates Construction Private Ltd. Thru. Its Authorized Sign. Mr. Anshul Singh

Respondent :- State Of U.P. Thru. Its Addl. Chief Secy./ Prin. Secy. Housing And Urban Planning And 2 Others

Counsel for Petitioner :- Gaurav Mehrotra, Maria Fatima, Rupendra Kumar Singh

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

Hon'ble Rajan Roy, J.

Hon'ble Brij Raj Singh, J.

Heard learned counsel for the petitioner as also the learned Addl. Standing Counsel and perused the record.

The petitioner prays for and is allowed to implead the Lucknow Development Authority through its Secretary as also the Sub Divisional Magistrate, Sarojini Nagar, District Lucknow, and the Ansal API Ltd. as opp. parties in the writ petition during course of the day.

Considering the order proposed, we dispense with the requirement of issuing notice, to the newly impleaded opp. parties, as we are not adjudicating on any issue on merits.

The concerned official of the U.P. Awas Evam Vikas Parishad may approach to the revenue authority or the Secretary, L.D.A. or both of them, as the case may be, for demarcation of the boundaries of the housing scheme, namely, Sushant Golf City Ansal API scheme, in which the petitioner has purchased the plot and should also get the boundaries of its own scheme, namely, Awadh Vihar Yojana, demarcated, based on relevant documents and based on the aforesaid exercise the Awas Vikas Parishad will determine as to whether the plot of land purchased by the petitioner from Ansals is in the land which is part of the scheme, Awadh Vihar Yojana, of the Parishad or not. Consequences will follow accordingly. Needless to say that while taking a decision as aforesaid, the petitioner's version should also be taken into consideration by the concerned authorities.

The aforesaid exercise shall be completed expeditiously, say within 6 weeks.

All authorities, whether it be the concerned revenue authority or of the LDA, shall facilitate and cooperate in the aforesaid exercise.

Needless to say the petitioner will also cooperate.

Till the aforesaid exercise is completed, the impugned action shall not be given effect, subject to the condition that if after the aforesaid exercise it is found that the petitioner has plot of land within the Awadh Vihar Yojana, then our order shall not come in the way in proceeding as per law.

With the aforesaid observations/directions, this writ petition is **disposed of**.

(Brij Raj Singh, J.) (Rajan Roy, J.)

Order Date :- 18.12.2024

A.Nigam