



2025:AHC:174805-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 34370 of 2025

Karan Singh And 9 Others

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Atipriya Gautam, Ishir Sripat
Counsel for Respondent(s)	: C.S.C., Ravi Anand Agarwal, Shiv Prakash Gupta

Court No. - 29

**HON'BLE MAHESH CHANDRA TRIPATHI, J.
HON'BLE ANISH KUMAR GUPTA, J.**

1. Heard Shri Ishir Sripat, learned counsel for the petitioners, Shri N.K. Pandey, learned Standing Counsel for the State-respondents, Shri Ravi Anand Agarwal, learned counsel for the respondent Nos.2 to 4 - U.P. Awas Evam Vikas Parishad and Shri Shiv Prakash Gupta, learned counsel for the respondent No.6 - Meerut Development Authority.

2. This writ petition has been filed praying inter alia for the following relief:

"a. Issue a Writ, Order or direction in the nature of Mandamus directing the respondent authorities to allot and handover vacant possession of 25% developed land without payment of any development charges, in lieu of Khasra Nos. 31 and 59 to the petitioners as compensation towards the acquisition of their lands within a specified reasonable period.

OR

Issue a writ, order or direction in the nature of mandamus directing the respondent No. 4 to take an appropriate reasoned decision on the representations of petitioner dated 27.08.2024 and 27.09.2024 (annexure no. 15 and 16) within a reasonable stipulated period."

3. Shri Ishir Sripat, learned counsel for the petitioners, has placed reliance upon the order dated 06.08.2024 passed by a Co-ordinate Bench in Writ - C No. 12949 of 2024 (*Karan Singh and 26 Others vs. State of U.P. and 5 Others*). He submits that in the said matter, the Co-ordinate Bench considered the affidavit filed by the respondent – U.P. Awas Evam Vikas Parishad, wherein it was stated that the issue had been considered in its 267th Board Meeting held on 31.07.2024 and a decision was taken to allot 25% developed land to the affected tenure holders, without payment of development charges, except in respect of tenure holders of Khasra Nos. 31 and 59, who are the petitioners in the present writ petition. Shri Sripat has further drawn attention to para-5 of the aforesaid order dated 06.08.2024, wherein the petitioners therein undertook to accept the offer, but reserved the right of tenure holders of Khasra Nos. 31 and 59 to claim developed land, subject to satisfaction of the U.P. Awas Evam Vikas Parishad that the compensation withdrawn by persons not entitled thereto had been duly returned. Learned counsel submits that this factual aspect can be appropriately examined by the competent authority. He prays that the petitioners' representations be decided by the competent authority, after affording them an opportunity of hearing and of leading evidence regarding the return of compensation.

4. Shri Ravi Anand Agarwal, learned counsel for respondent Nos. 2 to 4 – U.P. Awas Evam Vikas Parishad, fairly states that if the petitioners press their representations dated 27.08.2024 and 27.09.2024, the U.P. Awas Evam Vikas Parishad may be permitted to verify the factual aspects of the matter, and thereafter, the issue will be placed before the Board for appropriate directions.

5. In view of the aforesaid submissions, the writ petition is **disposed of** with a direction that the claim of the petitioners, as set forth in their representations dated 27.08.2024 and 27.09.2024, shall be duly examined by the U.P. Awas Evam Vikas Parishad. The competent authority shall undertake the exercise of verification of the relevant factual aspects, including the issue relating to withdrawal and return of compensation in respect of Khasra Nos.31 and 59. Upon such verification, the competent authority of the Parishad shall place the matter before the Board for consideration and a reasoned decision shall be taken strictly in accordance

with law. The entire exercise shall be completed within a maximum period of three months from the date of production of a certified copy of this order. It is further directed that before passing any final order, the petitioners shall be afforded opportunity of hearing, as well as liberty to adduce material/evidence in support of their claim.

6. It is made clear that this Court has not expressed any opinion on claim set up by the petitioners.

(Anish Kumar Gupta,J.) (Mahesh Chandra Tripathi,J.)

September 26, 2025

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