

Court No. - 2

Case :- WRIT - C No. - 5965 of 2025

Petitioner :- Srishti Singh Gautam

Respondent :- State Of U.P. Thru. Prin. Secy. Urban Development Lko.
And 7 Others

Counsel for Petitioner :- Shiwa Sagar Singh, Bhup Chandra Singh

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

Hon'ble Alok Mathur, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Bhup Chandra Singh, learned counsel for the petitioner, Sri Adi Nigam, Advocate, holding brief of Sri Ratnesh Chandra, learned counsel for respondent nos. 2 and 3-Lucknow Development Authority and learned Standing Counsel for respondent nos. 1, 4 and 5.

2. In light of the proposed order, notice to the private respondents is dispensed with.

3. It has been submitted by learned counsel for the petitioner that the petitioner has purchased a plot of land at the Sushant Golf City, Sultanpur Road, Lucknow which was specifically defined as plot no. A/1/0144, Sector-A, Pocket-1. It has been stated that petitioner had paid additional consideration for the said plot considering that the plot was adjacent to the green area. The grievance raised in the present petition is that subsequently the green area has been illegally occupied and constructed by respondent nos. 7 and 8 without seeking any permission from the Lucknow Development Authority in the most illegal and arbitrary manner which apart from the other facts devalued his plot and all the attempts made by the petitioner to stop the construction has been rendered futile.

4. In the aforesaid circumstances, petitioner has approached this Court seeking a direction to the State-respondents to demolish the illegal construction constructed over green land adjacent to plot no.A/1/0144, measuring 319.00 square meter, Sector-A, Pocket-1, situated at the Sushant Golf City, Sultanpur Road, Lucknow.

5. Sri Adi Nigam, learned counsel for respondent nos.2 and 3-Lucknow Development Authority, at the very outset, has informed this court that the said complaint made by the petitioner was duly inquired into by the Lucknow Development Authority and a report in this regard was also obtained on 13.06.2025. In the said report, it was confirmed that certain illegal structures have come up in the green area and no approved map was handed over to the inspecting team by the occupants of the said premises.

6. In the aforesaid circumstances, notice u/s 27(1) and 28(1) of the UP Urban Planning And Development Act, 1973 has been issued to respondent nos.7 and 8. It has been submitted that the proceedings under the aforesaid provision of the Act, 1973 will be conducted and in case, it is found that the said construction is illegal and arbitrary and without obtaining the sanction map, then coercive action and action for demolition would be undertaken by the Lucknow Development Authority, at the earliest.

7. This Court is of the considered view that once the Lucknow Development Authority has taken cognizance of the complaint made by the petitioner with regard to illegal structure which has come up adjacent to plot no.A/1/0144, Sector-A, Pocket-1, then it is expected that

the said authority would conclude the said proceedings in accordance with law, after giving full opportunity to the person who are responsible for raising illegal structure. Accordingly, it is expected that the proceeding shall be conducted and concluded with expedition.

8. Hence, it is expected that the proceeding may be concluded within a period of next three months and appropriate action be taken in accordance with law. In case, the respondents do not conclude the proceeding in next three months then it will be open for the petitioner to approach this court again.

9. With the aforesaid direction, present petition is **disposed of**.

Order Date :- 24.6.2025

S.Chaurasia

(Arun Kumar Singh Deshwal, J.) (Alok Mathur, J.)