



2025:AHC-LKO:BHSH-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 12355 of 2025

Jagdish Chandra Dixit

.....Petitioner(s)

Versus

State Of U.P. Thru. Its Prin. Secy. Housing @
Urban Planning Lko. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Alok Kumar Srivastava, Jitendra
Vikram

Counsel for Respondent(s) : C.S.C., Puneet Chandra

Court No. - 2

**HON'BLE MRS. SANGEETA CHANDRA, J.
HON'BLE AMITABH KUMAR RAI, J.**

1. Heard the learned counsel for the petitioner and the learned Standing Counsel who appears on behalf of the State-respondent no.1 and Shri Puneet Chandra, who appears on behalf of the Awas Vikas Parishad, the Respondent nos.2 to 5.

2. This petition has been filed by the petitioner with the following prayers:-.

"A-To issue a writ, order or direction in the nature of Mandamus commanding to the respondent's direct the respondents to handover the possession of the property i.e. Platform no. no. P-16/3 situated at "RAJAJIPURAM YOJNA", and receive the remaining dues whatsoever to the petitioner and execute a deed of transfer in accordance with law, in favor of the petitioner.

B- To issue any other writ, order or direction as this Hon'ble Court may deem fit and proper in the circumstances of the case.

C- To allow the writ petition and award costs."

3. It is the case of the petitioner that the Awas Vikas Parishad had allotted commercial plot Platform No.P-16/3 situated at Rajajipuram Yojana, in an auction to the petitioner who was the

highest bidder for an amount of Rs.26,810/-. A copy of the letter issued in favour of the petitioner on 11.02.1993 has been filed as Annexure No.1 to the writ petition. The petitioner deposited 20% of the Bid amount till 28.03.1993 and also some earnest money and other dues.

4. Thereafter, the petitioner requested the Junior Engineer and Clerk of the Office of the Awas Vikas Parishad to hand over physical possession of the land to the petitioner. Physical possession, however, was not handed over despite the petitioner handing over the original receipts of all the deposits made by him to the Junior Engineer and Clerk in the Office of the Awas Vikas Parishad. The petitioner was engaged in his employment for the past several years. He, thereafter, wrote a letter to the Respondents for delivery of physical possession of the platform allotted to him but the Respondent no.5 has informed him that the File relating to the allotment is missing and untraceable and as and when the Record of the said property shall be found they will proceed further.

5. The petitioner's Representations have not been heeded. He has also made an IGRS complaint in this regard and sent a Legal notice only thereafter he has approached this Court by filing this writ petition with the aforesaid prayers.

6. Shri Puneet Chandra appearing for Awas Vikas Parishad has pointed out that from the Annexures to the writ petition and also from his instructions that after allotment was made to the petitioner in February 1993, he has not deposited any amount towards Sale consideration. The allegation in Paragraph-5 of the writ petition is not made out from the Records of Awas Vikas Parishad. The petitioner woke up after 20 years and starting reagitating the matter only in 2024. The first Representation he made was on 25.12.2024.

7. It is in pursuance of a search being carried out in the Office, it was found that the File has been misplaced there are no Records

available for any such allotment made in favour of the petitioner. A request was made to the petitioner through letter sent by Property Manager to provide receipts, if any, relating to deposition, if any, made by the petitioner. Such letter has been filed as Annexure-3 to the writ petition. The petitioner has not provided any documents for the Respondents to proceed any further.

8. This writ petition is ***disposed of*** with liberty to the petitioner to search out his receipts, if any, and place them before the Property Manager for further action to be taken by the Awas Vikas Parishad in the matter.

(Amitabh Kumar Rai,J.) (Mrs. Sangeeta Chandra,J.)

December 17, 2025
N.PAL