



2025:AHC-LKO:8528H-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 12231 of 2025

Smt.Tara Singh

.....Petitioner(s)

Versus

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

.....Respondent(s)

Counsel for Petitioner(s)	: Hari Prasad Gupta, Durgesh Kumar Verma, Hariank Gupta
Counsel for Respondent(s)	: C.S.C., Ratnesh Chandra

Court No. - 2

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

1. Heard learned Counsel for the petitioner, learned Standing Counsel for the State Respondents and Sri Madhukar Ojha, Advocate, who has filed power on behalf of the Lucknow Development Authority.

2. This petition has been filed with the following main prayer:-

"Issue a writ order a direction in the nature of MANDAMUS commanding the opposite parties, specially to the LDA Lucknow and Sub-Divisional Magistrate, Sarojini Nagar, to conduct the fact-finding enquiry and submit the report in respect of the action taken to the government as per the letter dated 20/11/2025 annexed as annexure no.22 to the writ petition."

3. It is the case of the petitioner that the respondent no.5- M/s Emaar India Ltd, who is a private builder, has unauthorizedly taken possession of the land belonging to the petitioner, which she had bought through a registered sale deed from the erstwhile owners.

4. The petitioner has submitted repeated representations to the State Government and also to the Lucknow Development Authority, but nothing has been done in the matter. In fact the State Government by its

letter dated 20.11.2025, addressed to the Vice-Chairman Lucknow Development Authority, has expected the Lucknow Development Authority to conduct an enquiry with regard to the alleged unauthorized encroachment by M/s Emaar India Ltd. over the land belonging to the tenure holders which was not acquired.

5. We have gone through the letter dated 20.11.2025, which refers to the earlier letters dated 19.06.2023, 28.06.2023, 29.11.2023, 04.10.2024 and 19.12.2024, directing the L.D.A. to conduct an enquiry with respect to M/s Emaar India Ltd taking over unauthorized possession of land not acquired.

6. Sri Madhukar Ojha, Advocate, who has filed power on behalf of the L.D.A., has produced before this Court letter dated 17.12.2025 sent by the Consolidation Officer- Acquisition in the office of the Lucknow Development Authority, Vipin Khand, Gomti Nagar, regarding instructions given to him. In the said instructions, it has been stated that on complaints being received, on-the-spot inspection was carried out of the area in question on 10.09.2025. During the spot inspection of Village Ardaunamau, Tehsil Sarojani Nagar, District Lucknow, it was found that Khasra no.149 has not been acquired by the Lucknow Development Authority and M/s Emaar India Ltd is developing an integrated township. Khasra No.149 is not included in the plots allotted to it. Yet there was some encroachment thereon.

7. It has been submitted by the counsel for the Lucknow Development Authority that appropriate remedy for the petitioner would be to file a demarcation application before the Sub-Divisional Officer, Sarojani Nagar, Lucknow, who would then carry out demarcation of land of the petitioner and ensure that encroachment is removed therefrom.

8. Be that as it may, since there are already several letters sent by the State Government to the Lucknow Development Authority to conduct an enquiry regarding alleged encroachment of private land by M/s Emaar India Ltd, it is expected that Vice-Chairman, Lucknow Development Authority, shall comply with the repeated requests made to it by the State Government.

9. This petition is ***disposed of*** with liberty to the petitioner to approach the Sub-Divisional Officer, Sarojani Nagar, Lucknow, for carrying out demarcation of her plot under Section 24 of the U.P. Revenue Code, 2006. It shall be decided in accordance with law after giving opportunity of hearing to all concerned, as expeditiously as possible.

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

December 18, 2025

Rahul