



2025:AHC-LKO:26055-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 12625 of 2025

Harinath Tripathi

.....Petitioner(s)

Versus

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

.....Respondent(s)

Counsel for Petitioner(s)	: Anoop Kumar Misra
Counsel for Respondent(s)	: C.S.C., Manoj Kumar Misra, Rishabh Kapoor

Court No. - 2

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

1. We have heard learned counsel for the petitioner, learned Standing Counsel for the State Respondents, Sri Manoj Kumar Mishra, learned counsel appearing on behalf of the respondent no.3 and Sri Rishabh Kapoor, learned counsel appearing on behalf of the respondent no.4 & 5.
2. This writ petition has been filed with the following main prayers:-

"1. Issue a Writ, order or direction in nature of certiorari for quashing of order dated 29.07.2017 passed by opposite party no.3 vide Board Resolution No. 3(26) dated 29.07.2017 (Annexure No.1) by which opposite party no.3 in arbitrary, illegal and unjust manner allotted the land i.e. Gata No. 2473/0.531 situated at by pass road near Police Chowki, Shahabad, Hardoi which was already allotted to petitioner by opposite party no.3 vide order dated 08.08.2025 and quashing of order dated 24.09.2022 vide Board Resolution No. 2(3) dated 24.09.2022 (Annexure no.2) passed by opposite party no.3 (Board Resolution No.2(3) dated 24.09.2022) by which it has cancelled the allotment of said land i.e. vacant land from Jama Masjid Police Chowki to factory of Radhey Lohar, Shahabad Hardoi already allotted to petitioner by opposite party no.3 vide its Board Resolution No.16 dated 08.08.2005.

2. Issue a Writ, order or direction in nature of mandamus commanding the opposite parties, directing them to permit the petitioner to deposit the arrears of rent of said land from Jama Masjid Police Chowki to factory of Radhey Lohar, Shahabad, Hardoi and allow the petitioner to make construction on said land allotted to petitioner in pursuance of Board Resolution no.16 dated 08.08.2005 passed by opposite party no.3."

3. It is the case of the petitioner that the petitioner had applied for allotment for vacant land stretching from Jama Masjid, Police Chowki to factory of Radhey Lohar. On his application Nagar Palika Parishad, Shahbad had allotted the said land on 08.08.2005. The petitioner also deposited Rs.1,00,000/- on 24.08.2005. The site plan/map of the said land was approved in 2007. The petitioner approached the Nagar Palika Parishad, Shahbad for deposit of rent, but such deposit was not taken. The petitioner made repeated representations to the respondent no.3, which were not replied to. The petitioner has now come to know that the land which was allotted to the petitioner has been given by the Nagar Palika Parishad, Shahbad to the respondent no.4 & 5 for constructing of Sadbhav Mandap thereon. Hence this writ petition has been filed.

4. We have gone through the Resolution of the Board dated 29.07.2017, no explanation of delay has been given by the petitioner. We do not know the current status of such land, which was given way back to the respondents no. 4 & 5 in 2017 itself.

5. Accordingly, the writ petition is ***dismissed*** on ground of unexplained delay/laches, leaving it open for the petitioner to approach the appropriate forum, in case, any other legal remedy is sought to be availed by him.

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

December 19, 2025

Darpan Sharma