2026:AHC:207985-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 33992 of 2026

Sanjay Agnihotri And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rajan Upadhyay, Sr. Advocate
Counsel for Respondent(s)	:	Abhinava Krishna Srivastava, C.S.C., Hari Narayan Singh, Shiv Prakash Gupta

Court No. - 29

HON'BLE SIDDHARTHA VARMA, J.
HON'BLE KUNAL RAVI SINGH, J.

1. Heard the learned counsel for the petitioners, learned standing counsel appearing for the State-respondents, Shri Hari Narayan Singh, learned counsel for Gaon Sabha and Shri Shiv Prakash Gupta, learned counsel appearing for Kanpur Development Authority.

2. The boundary wall of the petitioners' property, bearing Plot No. 412/3, admeasuring 167.22 square yards, situated at Village Gangapur, Tehsil, Pargana and District Kanpur Nagar, was being demolished. Upon making an inquiry, the petitioners came to know that a general notice had been affixed at various boundary walls under Section 26-A(4) of the Uttar Pradesh Urban Planning and Development Act, 1973 (for short, "Act, 1973") on 11.03.2026. The petitioners submitted their replies to the said notices on 01.06.2026. It was specifically stated in the replies that, although the notice pertained to certain specified plots, the petitioners' plot was not mentioned therein.

3. Be that as it may, we are of the view that, if any demolition or other action is proposed to be taken under Section 26-A(4) of the Act, 1973, the Kanpur Development Authority shall first issue individual notices to the tenure-holders/owners of the respective plots. Thereafter, the petitioners, being the owners of the plot in question, shall be afforded an opportunity to submit their replies, and the competent authority shall, after taking into consideration the replies so submitted, pass appropriate orders in accordance with law. In the meantime, no further demolition shall be carried out. The individual notices shall be served upon the petitioners within a period of two

weeks. Thereafter, the petitioners shall be granted a further period of two weeks to submit their replies, and a decision shall be taken on the replies so submitted within a period of one month thereafter.

4. For a period of three months or until a decision is taken pursuant to the aforesaid exercise, whichever is earlier, strict status quo with regard to the boundary walls in question shall be maintained.

5. With the aforesaid observations, the writ petition stands **disposed of**.

October 5, 2026
Mukesh Kr.

(Kunal Ravi Singh,J.) (Siddhartha Varma,J.)

Digitally signed by :-
MUKESH KUMAR
High Court of Judicature at Allahabad