2026:AHC:207769-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 43554 of 2025

Prakash Chandra Bhartiya

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anand Kumar Singh
Counsel for Respondent(s)	:	Anand Prakash Paul, C.S.C., Gautam Baghel

Court No. - 29

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

1. When the petitioner intended to get his map sanctioned over plot no.281 having an area 618.15 sq. meters and when the petitioner's map was refused on 30.10.2024 then the petitioner approached this Court by means of a writ petition being Writ-C No.43355 of 2024 and on 21.1.2025, the following order was passed :-

"1. Sri A.P. Paul, learned counsel for the respondent-Development Authority submits that license for developing integrated township was granted to Assam Entrade Ltd. on 8.11.2015 and vide corrigendum dated 18.3.2021. He submits that period of ten years has not expired since the date of grant of license. He further submits that the petitioner has not impleaded the licensee as a party to the instant proceedings.

2. Learned counsel for the petitioner on such objection being raised prays for withdrawal of writ petition with liberty to the petitioner to seek appropriate remedy as soon as the cause of action comes into existence.

3. Sri A.P. Paul, learned counsel for the Development Authority states that whatever amount the petitioner has deposited in pursuance of the demand note would be returned to the petitioner.

4. Accordingly, the petition stands disposed of as withdrawn in respect of relief No. (1). However, as stated by Sri A.P. Paul, learned counsel for the Development authority, any sum realized from the petitioner in pursuance of the demand notice shall be returned to him within three weeks from the date of filing of application in

this behalf by the petitioner."

2. Learned counsel for the petitioner Sri Ashish Kumar Singh, learned Senior Counsel assisted by Sri Anand Kumar Singh submitted that now when ten years' period for the integrated township to come up had expired on 7.11.2025, the petitioner had filed the instant writ petition with a prayer that the respondent no.2 i.e. the Kanpur Development Authority may take a final decision with regard to the petitioner's plot no.281. He submitted that either the petitioner's map be sanctioned or it be included in the integrated township of the respondent no.4.

3. The petitioner was handed over a short counter affidavit by the respondent no.4 which is represented by Sri Gautam Baghel and in the counter affidavit, a document dated 18.3.2021 was included which showed that the respondent no.4 had been given the liberty to develop the integrated township till such period as it actually could develop it. This document was signed by Sri Rakesh Kumar Singh, the Vice-Chairman of the Kanpur Development Authority. The short counter affidavit be kept on record.

4. Learned counsel for the petitioner states that since the extension of the period for developing the integrated township had been done *ad infinitum*, it worked against the petitioner's interest as the petitioner's map could not be granted sanction till such time as the permission for integrated township existed. He submitted that since the order dated 18.3.2021 subsisted it was always open for the Kanpur Development Authority to get the petitioner's land acquired and get it included in the integrated township. Learned counsel for the petitioner states that the petitioner has, in this regard, also filed a representation on 10.5.2025.

5. Sri A.P. Paul, learned counsel appearing for the Kanpur Development Authority states that this representation shall be decided in accordance with law within a period of one month from today after hearing the parties concerned.

6. In view of the statement made by learned counsel for the Kanpur Development Authority, we direct that the representation filed by the petitioner on 10.5.2025, annexed as Annexure No.11 to the writ petition,

shall be decided within a period of one month from the date of presentation of a certified copy of this order. Needless to mention that the before deciding the representation, the petitioner and the respondent no.4 shall be heard.

7. With these observations, the writ petition stands disposed of.

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

October 5, 2026
GS

Digitally signed by :-
GAUTAM SONI
High Court of Judicature at Allahabad