



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 755 of 2026

Reena Kumari

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shailendra Kumar Singh, Vishwas Rai
Counsel for Respondent(s)	:	C.S.C., Sanjay Kumar Om

Court No. - 21

**HON'BLE MAHESH CHANDRA TRIPATHI, J.
HON'BLE KUNAL RAVI SINGH, J.**

1. Heard Sri Shailendra Kumar Singh, learned counsel for the petitioner, Sri Akash Chandra Maurya holding brief of Sri Sanjay Kumar Om, learned counsel appears for U.P. Jal Nigam and Sri Devesh Vikram, learned Additional Chief Standing Counsel for the State-respondents.

2. The instant writ petition has been filed *inter alia* for the following relief :

" i) issue a writ, order or direction in the nature of Mandamus directing the respondents specially respondent no.3 and 6 to provide the land to petitioner adjacent to the boundary wall of S.T.P., Ramana, Varanasi equivalent to the area of 556.20 M2 as has been decided by District Level Committee headed by respondent no.5 in its meeting dated 29.05.2023 (Annexure No. 'A-5' to writ petition) constituted in view of Government Order dated 12.05.2016 and in compliance of the order dated 21.02.2023 passed by this Hon'ble Court (Annexure No. 'A-1' to writ petition) and in view of letter dated 28.07.2025 moved by respondent no.3 (Annexure No. A-9' to writ petition) himself to respondent no.6 forthwith;
ii) award costs of the writ petition to the petitioner."

3. It is admitted fact that the petitioner is a subsequent purchaser of the acquired land, namely, Arazi Nos.163/3 and 163/4/2 area 556.2 sq meters. The sale deed dated 6.12.2006 was executed in favour of the petitioner after publication of the preliminary notification under section 4 dated 2.6.2006 under the Land Acquisition Act, 1894(for short, 'the Act, 1894').

4. Contention raised by learned counsel for the petitioner is that despite the District Level Committee recording a clear finding in favour of the petitioner that an area of 556.2 square meters has been affected due to the establishment of the Sewage Treatment Plan, the petitioner should either be compensated or area equivalent to the area utilized should be provided to the petitioner. It is further submitted that despite order dated 29.05.2023, till date respondents have neither provided the compensation nor transferred the land with the equivalent area to the petitioner despite letters being written with regard to the land to be provided. Learned counsel next submits that even the demarcation was done wayback on 30.07.2023 but the Authorities have merely reduced the proceedings to exchange of letters and have affected the valuable rights of the petitioner.

5. Learned counsel for the petitioner further submits that due to the lethargy shown by the respondents in providing the lands to the petitioner, the petitioner was forced to send a letter to the Chief Engineer (Ganga), U.P. Jal Nigam (Rural), Lucknow on 31.10.2025, stating detailed facts with regard to the land to be provided and had further prayed that as her husband is a 'Kargil War Hero', who retired in the year 2018, the petitioner and her husband are running from one place to other but the Authorities till date, have not redressed the grievance of the petitioner, even though, the land was demarcated in the year 2023 itself.

6. We have perused the records of the case and after having perused the records, we find that it is an admitted position that the land of the petitioner has been utilized for the construction of the sewage treatment plan and the District Level Committee headed by respondent no. 5 has submitted a categorical report with regard to utilization of the land by means of a report dated 29.05.2023. The Committee goes to recommend either payment of compensation or exchange of land with the petitioner. The proposal with regard to the exchange of land was carried further and the area was also demarcated in July, 2023 but till date, concrete steps have not been taken by any of the respondents to transfer the land in favour of the petitioner. It appears that the Authorities are in deep slumber of the matter and are duly harassing the petitioner and her husband, who is a 'Kargil War Hero'.

7. Taking into consideration the seriousness of the matter, it would not be proper to let the situation out of hand any further as it does not appear that the Authorities are keen to wake up from their slumber.

8. In the light of the facts and circumstances of the case, we have no option but to direct the Chief Engineer (Ganga), U.P. Jal Nigam (Rural) along with the Project Manager, Ganga Pollution Control Unit-II, U.P. Jal Nigam (Rural), Varanasi to look into the matter and to expedite the process of settlement of land in favour of the petitioner before the next date fixed in the matter, otherwise both the concerned officers shall appear in the Court to show cause their conduct over the last few years with regard to non-implementation of the order of District Level Committee dated 29.05.2023.

9. Put up this matter again as fresh on 16.02.2026.

(Kunal Ravi Singh,J.) (Mahesh Chandra Tripathi,J.)

January 22, 2026

Priya