



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 3327 of 2026

Supertech Eco Village -1 Social Welfare
Association

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)

: Adarsh Singh

Counsel for Respondent(s)

: Anjali Upadhyya, C.S.C.

Court No. - 4

**HON'BLE NEERAJ TIWARI, J.
HON'BLE GARIMA PRASHAD, J.**

1. Sri Qamar Ali Jafri, Advocate and Sri Mayank Gaurav, Advocate have filed Vakalatnama on behalf of respondent no. 3, which is taken on record.

2. Heard, Sri Aman Kant Mishra, Advocate along with Sri Adarsh Singh and Sri Amrish Kumar Rai, learned counsel for petitioner, learned standing counsel for respondent no. 1, Ms. Anjali Upadhyay, learned counsel for respondent no. 2 and Sri Qamar Ali Jafri, learned counsel for respondent no. 3.

3. Present petition has been filed seeking following relief:-

"a) Take immediate steps to facilitate the issuance of the occupation/completion certificate and the execution of tripartite agreements/lease deeds in favour of member home-buyers of the residential complex viz. "Eco-Village-I housing project situated at Plot No. 8, Sector-1, Greater Noida, Gautam Budh Nagar" without demanding any further payments from the home-buyers.;"

4. Learned counsel for petitioner submitted that petitioner before the Court i.e. Supertech Eco Village -1 Social Welfare Association (hereinafter referred to as 'Association') is association of lawful home buyers of Eco-village-I housing project situated at Plot No. 8, Sector-1, Greater Noida, Gautam Budh Nagar, U.P. The said project was developed by respondent no. 3. All members have duly deposited the amount so required for purchasing the flat and after issuance of allotment letter, obtained possession of house in question, but respondent nos. 2 & 3 are not executing the tripartite agreement/lease deed in favour of members of housing buyers. He further

submitted that not only this, respondent no. 3 is also proceeded to resale the flat so allotted to the members of the Association to the outsiders without their consent.

5. He also pointed out that present controversy is entirely covered with the judgment of this Court passed in Writ-C No. 41110 of 2019 (Nirmal Singh vs. U.P. and 4 others) along with connected matter and also affirmed by the Apex Court by an interim order dated 27.09.2024 passed in Special Leave to Appeal (C) No. 17238-17239/2024, therefore, a direction may be issued to respondent nos. 2 & 3 to immediately execute the tripartite lease deed.

6. Learned counsels for respondents could not dispute this fact that members of the Association have deposited the amount of flat so required and further they are in possession of that flat after issuance of allotment letter by respondent no. 3.

7. Matter requires consideration.

8. Under such facts, learned counsels for respondents are directed to file counter affidavit within four weeks. Rejoinder affidavit, if any, may be filed within one week thereafter.

9. List this case on 18.03.2026.

10. Until further order of this Court, members of the Association, who are having possession over the flat shall not be dispossessed or their flats shall not be transferred to any other person without their written consent.

February 16, 2026
Sartaj

(Garima Prashad,J.) (Neeraj Tiwari,J.)