



2026:AHC:55403-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 6677 of 2026

Smt. Adesh

.....Petitioner(s)

Versus

State Of U.P. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Keshav Kumar Srivastava, Saurav Mishra
Counsel for Respondent(s)	:	C.S.C., Tejasvi Misra

Court No. - 21

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

1. Heard Sri Saurav Mishra, learned counsel for the petitioner, Ms. Uttara Bahuguna, learned Additional Chief Standing Counsel for the State respondents and Sri Tejasvi Misra, learned counsel appearing for the Ghaziabad Development Authority.

2. The petitioner has preferred this writ petition for the following relief :-

"i. Issue a Writ, Order, or Direction in the nature of Mandamus commanding the Respondent Nos. 2, 3, and 4 (Ghaziabad Development Authority) to immediately halt the ongoing illegal and unauthorized commercial construction being carried out by Respondent Nos. 7 and 8 on Khasra No. 1030 and 1063, situated at Village Mahrauli, NH-9, District Ghaziabad.

ii. Issue a Writ, Order, or Direction in the nature of Mandamus directing the Respondent-Authorities to demolish the unauthorized commercial structures raised on the aforesaid plots in accordance with the provisions of Section 27 of the U.P. Urban Planning and Development Act, 1973.

iii. Issue a Writ, Order, or Direction in the nature of Mandamus directing the Respondent No. 1 (State of U.P.) or Respondent No. 5 (District Magistrate) to conduct an inquiry

into the submission of the fraudulent demolition report dated 28.09.2025 on the official portal and to take strict disciplinary/legal action against the officials found responsible for misrepresenting facts."

3. At the outset, Sri Tejasvi Misra, learned counsel representing Ghaziabad Development Authority (for short, 'G.D.A.') has placed the detailed instructions, which is taken on record. He submits that the petitioner, who is the sister-in-law of respondent no.7, has made various complaints on account of some family dispute wherein she has alleged that the respondents are carrying out construction activity over Khasra Nos. 1027 and 1064 and the matter pertains to actual demarcation at the site in question. He further submits that in consequence thereof, complaint has been entertained and it has been found that certain construction has been carried out over Khasra Nos.1030 and 1063, accordingly, the Authority proceeded to issue a notice under Section 27(1) of the U.P. Urban Planning and Development Act, 1973 (for short, 'the Act, 1973') and later on, once the construction has been carried out unabated, proceeding under Section 28(1) of the Act, 1973 were initiated. Presently, the premise in question has been sealed and the adequate information has already been sent to the concerned S.H.O. It is also apprised to the Court that in view of the notice under Section 27(1) of the Act, 1973, certain demolition proceeding has also been carried out.

4. In this backdrop, learned counsel for respondent no.7 has raised an objection that the petitioner has preferred the instant writ petition with concealment of material facts as a family dispute is engaging at various forum i.e. civil and criminal proceedings and the same has not been divulged.

5. Considering the facts and circumstances and the complaint so moved by the petitioner, we find that the Ghaziabad Development Authority, which is the responsible Authority to ensure that the construction is to be carried out in its territorial jurisdiction in accordance with law, has already taken remedial measures and we expect that the same must be finalized to its logical conclusion. We further observe that no such activity is to be carried out except in accordance with law.

6. With the aforesaid observation, the instant writ petition stands **disposed of.**

March 18, 2026
Sumit S

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