

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

(Sl. No.40)

Court No. - 21

Case :- WRIT - C No. - 8722 of 2025

Petitioner :- Ideal Welfare Society

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Abhay Singh Tomar, Adarsh Bhushan

Counsel for Respondent :- Anand Prakash Paul, C.S.C.

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Anish Kumar Gupta, J.

1. The petitioner was granted a provisional approval of the building plan vide the order dated 13.12.2021 but it was subject to verification of the reports and documents by concerned officer including site visit report. Clause-2 of the provisional sanction provide that construction would not commence unless final approval of the map is granted. Thereafter the online application is said to have been rejected on account of the petitioner having not cleared the objections raised on 21.01.2022. The same is in regard to submission of NOC from Sales Section with regard to default in deposit of non-construction charges.

2. The specific case of the petitioner is that the Sales Section had granted NOC on 23.09.2021 itself and copy of the same has been filed at page 57 of the writ petition. The submission is that in such circumstances, the impugned order rejecting the representation of the petitioner dated 07.02.2024 is manifestly illegal.

3. The matter requires consideration.

4. Let counter affidavit be filed within four weeks.

5. List in the second week of July, 2025.

6. In the meantime, it is hereby provided that no coercive action shall be taken against the petitioner-society in pursuance of the impugned order.

Order Date :- 27.5.2025

Ashish Pd.

(Anish Kumar Gupta, J.) (Manoj Kumar Gupta, J.)