

Court No. - 38

Case :- WRIT - C No. - 65650 of 2011

Petitioner :- Yusuf Ali

Respondent :- State Of U.P. Thru Its Secy. And Others

Counsel for Petitioner :- P.K.S. Paliwal, Gulrez Khan, J.H. Khan

Counsel for Respondent :- C.S.C., Ramendra Pratap Singh

Hon'ble Abhinava Upadhya, J.

Hon'ble Dr. Yogendra Kumar Srivastava, J.

By means of this writ petition, the petitioner has come to this Court challenging the land acquisition proceedings on the ground that his plot no. 624 was not under acquisition proceedings, yet upon joint inspection report, it has been found that certain area of khasra no. 624 is indeed in possession of Noida. The area has been developed. The joint measurement report has not been challenged. However, an application under Section 28 of the Land Revenue Act, 1901 was filed by Noida Authority which has also been rejected and in that order also, the same situation has emerged that the plot no. 624 which was not under acquisition, the Noida Authority is in possession over portion thereof.

That being the case, now the Noida Authority has to explain as to how it proposes to compensate the petitioner either by payment of compensation or by providing alternative land in view of the joint inspection report in which it has been stated that Noida Authority is in possession over a portion of plot no. 624.

Sri Ramendra Pratap Singh, learned counsel for the Noida Authority prays for and is allowed one month's time to seek instructions and file an affidavit in this regard.

List after one month.

Order Date :- 23.1.2019

Pratima

(Dr. Y.K.Srivastava, J.) (Abhinava Upadhya, J.)