



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 53322 of 2014

Mohd. Abdullah And 20 Others

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Anoop Trivedi (Senior Adv.), Pankaj Dubey, Ramesh Chandra Mishra, Sandeep Kumar Chaturvedi
Counsel for Respondent(s) : Amrit Lal Yadav, Mahesh Chandra Chaturvedi, Satish Mandhyan, Suresh C. Dwivedi

Court No. - 21

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

1. The instant writ petition is pending since 2014 inter alia with following reliefs.

"i. Issue an appropriate writ, order or direction quashing the award dated 02.07.2015.

ii. Issue an appropriate writ, order or direction commanding the respondent concerned to determine/calculate the compensation in respect of the lands of the petitioners at the rate which has been decided in the meeting dated 01.06.2012 and approved by the Commissioner, Gorakhpur Division, Gorakhpur vide his order dated 23.11.2013 or on the market value/rates and in accordance with the provisions contemplated in the Act 2013."

2. Today, when the matter is taken up, Sri Ajit Singh Rana, learned Standing Counsel on the basis of averments contained in the counter-affidavit submits that the notice was issued by Deputy Land Acquisition Officer, Maharajganj on 17.6.2015 inviting the affected farmers to receive the compensation under Agreement within three days. The said notice was also published in daily newspapers on 18.6.2015. Most of the tenureholders who were affected, had received the compensation on the rate which were agreed between the parties under *Karar Niyamawali*. Even the offer was made by the respondent and the amount had also been

quantified under *Karar Niyamawali* to the petitioners, who are 21 in numbers. However since the petitioners did not accept the amount under agreement, the Award under the Act was made.

3. On the other hand, Sri Pandey, learned counsel for the petitioners submits that no doubt later on the award was made but the rate is lesser than the rate offered under *Karar Niyamawali*. He further submits that some of the petitioners had received the compensation in lieu of the award, whereas most of the tenureholders had accepted the compensation under *Karar Niyamawali*. In this backdrop, he submits that the remaining petitioners, who have not received the compensation, are willing to except the same as offered by the respondent under *Karar Niyamawali*.

4. As the matter is pending since 2014 and benefits under *Karar Niyamawali* had been extended to other tenureholders, *prima facie* arguments advanced by learned counsel for the petitioners are needed to be addressed.

5. Before proceeding further on merits of the case, let learned Standing Counsel seek instructions from District Magistrate, Maharajganj on or before the next date of listing with regard to extending the rate under the *Karar Niyamawali* to the remaining petitioners, who are yet to receive the rate as quantified in the award.

6. List this matter again on 27.4.2026 in the top 10 of the case.

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

April 7, 2026

A.K.Srivastava