

ITEM NO.103

COURT NO.9

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).1588/2011

SHYAM SINGH

Appellant(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

WITH

C.A. No. 1591/2011 (III-A)

(FOR APPLICATION FOR SUBSTITUTION ON IA 22889/2022

FOR EXEMPTION FROM FILING O.T. ON IA 27483/2022

FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA
27486/2022

FOR SETTING ASIDE AN ABATEMENT ON IA 27489/2022

IA No.22889/2022 - APPLICATION FOR SUBSTITUTION

IA No.27486/2022 - CONDONATION OF DELAY IN FILING SUBSTITUTION
APPLN.

IA No.27483/2022 - EXEMPTION FROM FILING O.T.

IA No.27489/2022 - SETTING ASIDE AN ABATEMENT)

C.A. No.1590/2011 (III-A)C.A. No.1589/2011 (III-A)

Date : 03-05-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Appellant(s) Mr. N.P. Singh, Adv.
Mr. Kedar Nath Tripathy, AOR
Mr. Vikal Mishra, Adv.
Mr. Vikalp Mishra, Adv.
Mr. Achintya Tiwari, Adv.

For Respondent(s) Mr. Ravindra Raizada, A.A.G.
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Kamendra Mishra, AOR

Mr. Ravindra Kumar, Sr. Adv.
Mr. Binay Kumar Das, AOR
Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. During the course of hearing, it is pointed out by learned counsel for the appellant(s) that a batch of Writ Petitions challenging the same acquisition is still pending consideration before the High Court. He further points out that subsequent to the impugned order, the High Court has allowed certain Writ Petitions vide judgment dated May 15, 2014 and quashed a part of the subject acquisition. The above-stated latter decision in Udai Veer Singh and others vs. State of U.P. and others has attained finality. Learned counsel also points out that 38 Writ Petitions are still pending before the High Court. Let particulars of those Writ Petitions be furnished on the next date of hearing.

2. Faced with this, learned Additional Advocate General appearing on behalf of the State of Uttar Pradesh as well as learned Senior Counsel appearing on behalf of Greater Noida Industrial Development Authority (GNIDA) submit that the physical possession of the land in dispute had been taken and the same has been developed into an Eco-tech industrial area where industries have been set up. There is, however, nothing on record to substantiate this plea.

3. Learned Senior Counsel appearing for GNIDA seeks and is granted four weeks' time to place on record an additional affidavit alongwith site plan, details of the industrial plots carved out and particulars of the allottees. The details of the industrial units established over the acquired land along with their photographs be also placed on record.

4. Post these matters for hearing on 16.08.2023.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)