

Court No. - 21

Case :- WRIT - C No. - 13375 of 2025

Petitioner :- Leela Singh

Respondent :- State Of Up And 3 Others

Counsel for Petitioner :- Ramesh Kumar Pandey

Counsel for Respondent :- Anjali Upadhya,C.S.C.

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Anish Kumar Gupta,J.

1. Case of the petitioner is that he has been awarded additional compensation of 64.7% by the respondent, Development Authority, in addition to the compensation amount in lieu of acquisition of his land bearing Khasra No. 108/2 (area 0.620 hectare), Khasra No. 109M (area 0.443 hectare) and Khasra No. 110 (area 0.253 hectare), Khasra No. 128 (area 0.607 hectare), Khasra No. 129 (area 0.974 hectare) and Khasra No. 130 (area 0.202 hectare), Village Mursadpur, Tehsil Sadar, District Gautam Budh Nagar. However, 10% developed land is not being given to him.

2. Ms. Anjali Upadhya, learned counsel appearing for the respondent-Development Authority, submits that the petitioner was not party to Full Bench judgment in **Gajraj & others vs. State of U.P. & others, 2011 (11) ADJ 1**, therefore, he is not entitled to 10% developed land.

3. Learned counsel for the petitioner submits that in identical facts and circumstances, where certain persons have not challenged the acquisition proceedings nor were party in **Gajraj & others** (supra), the Authority has given them 10% developed land. Consequently, the respondents cannot discriminate the petitioner. A specific plea in this regard has been taken in paragraph-14 of the writ petition.

4. Ms. Anjali Upadhya, learned counsel for the respondent-Development Authority, very fairly states that the said aspect would be examined by the Development Authority.

5. Accordingly, the instant petition is **disposed of** with direction to the respondent-Development Authority, to pass a speaking order in relation to the claim of the petitioner, having regard to the averments made in paragraph-14 of the writ petition, within a period of eight weeks from the date of communication of the instant order, along with fresh representations.

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

Order Date :- 30.4.2025

Jaideep/-