
(2011) 09 AHC CK 0225
In the Allahabad High Court
Case No : Writ C No. 37443 of 2011

Gajraj and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 15-09-2011

Acts Referred:

Citation : (2011) 09 AHC CK 0225

Hon'ble Judges : V.K. Shukla, J; Sibghat Ullah Khan, J; Ashok Bhushan, J

Bench : Full Bench

Judgement

1. Hearing with regard to villages, namely, Pali, Birondi Chakrasenpur, Dabra, Dadha and Roja Yakubpur is continuing.

2. Learned Counsel for the Petitioners in Writ Petition No. 45450 of 2011 (Phundan Singh and Ors. v. State of U.P. and Ors.) has contended that there was No. development plan made by the Greater NOIDA for industrial development and there was No. need of land for any industrial development and also that there were already sufficient land available with the Greater NOIDA. It is further submitted that although the counter affidavit has been filed by the Greater NOIDA but detail of development plans, which were in existence before the date of issue of notification for acquisition, has not been brought on the record.

3. In Writ Petition No. 37119 of 2011 (Dal Chand and Ors. v. State of U.P. and Ors.) in which hearing is going on, averment has been made that the land use, which was earmarked at the time of acquisition, has been changed by the Greater NOIDA. It has further been stated that there has been No. appropriate plan for industrial development and allotments have been made to the builders for developing residential complexes and multistory complexes, which indicate that Greater NOIDA had not been proceeding keeping in mind the object of the Uttar Pradesh Industrial Area Development Act, 1976.

4. Sri Ravindra Kumar appearing for the Greater NOIDA prays for and is allowed three days" time to file supplementary counter affidavit.

5. Learned Counsel for the Petitioners have made a request that order in which cases pertaining to particular village are to be heard be indicated in the order so that Petitioners may be aware as to when their cases may be taken up.

6. In view of the aforesaid, for the time being, we direct that village-wise further hearing pertaining to land acquisition in which Greater NOIDA is one of the parties, shall take place in following order:

- (1) Pali,
- (2) Birondi Chakrasenpur,
- (3) Dadha,
- (4) Dabra
- (5) Roja Yakubpur,
- (6) Tusiya,
- (7) Aimnabad,
- (8) Khanpur,
- (9) Bironda,
- (10) Chuaharpur Khadar,
- (11) Badalpur,
- (12) Sadhopur,
- (13) Gharbara,
- (14) Chappraula,
- (15) Khairpur Gurjan,
- (16) Ajayabpur,
- (17) Namoli,
- (18) Jaitpur Vaishpur,
- (19) Mathurapur,
- (20) Saini,
- (21) Murshadpur,
- (22) Haibatpur,
- (23) Chipiyana Khurd,
- (24) Bisrakh Jalalpur,
- (25) Rithori,

- (26) Itehra,
- (27) Luksar,
- (28) Badhpura,
- (29) Raipur Bangar,
- (30) Malakpur,
- (31) Maicha,
- (32) Kasna,
- (33) Rasulpur Rai,
- (34) Yasufpur Chak Shahberi,
- (35) Khera Chauganpur,
- (36) Devla and
- (37) Junpath.

Hearing to continue tomorrow.