

(2009) 04 AHC CK 0282
In the Allahabad High Court

Nand Kumar Mishra

APPELLANT

Vs

State of U.P.Through District Magistrate Pratapgarh

RESPONDENT

Date of Decision : 15-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0282

Hon'ble Judges : Pradeep Kant, J and Devendra Kumar Arora, J

Final Decision : Disposed Of

Judgement

Devendra Kumar Arora, J.

Heard the learned counsel for the parties.

With the consent of the parties" counsel the petition is being disposed of finally.

The submission of the learned counsel for the petitioner is that the land in dispute belongs to the petitioner and the same has yet not been acquired or requisitioned under the relevant Acts, but the possession of the petitioner is being disturbed by the respondents.

We, therefore, dispose of the writ petition finally with the direction that in case the land in question belongs to the petitioner and has not been acquired or requisitioned under the relevant Acts or no written consent of the petitioner has been taken, the possession of the petitioner, over the land in dispute shall not be disturbed nor the nature of the land shall be changed, unless otherwise than in accordance with law.

In the alternative, it is provided that in case the land of the petitioner has already been acquired or possession of the same has been taken either in full or in part for the use of the respondents even without acquisition or requisition, the petitioner shall be paid adequate compensation in accordance with the determination made under the provisions of Land Acquisition Act, without any undue delay, say within a maximum period of four months.

With the aforesaid direction, the petition is disposed of finally.