



2025:AHC:201140-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 25622 of 2017

Ranjeet Singh and 2 others

.....Petitioner(s)

Versus

State of U.P. and 2 others

.....Respondent(s)

Counsel for Petitioner(s)	: Amit Kumar, Sanjay Kumar Mishra
Counsel for Respondent(s)	: C.S.C., Suresh Singh

Connected with

21331 of 2010; 23539 of 2010; 24999 of 2010; 35110 of 2010; 37967 of 2010; 66685 of 2010; 73592 of 2010; 53382 of 2011; 53384 of 2011; 6496 of 2012; 32910 of 2012; 38845 of 2012; 38847 of 2012; 45330 of 2012; 32430 of 2014; 55787 of 2014 & Writ C Nos.21329 of 2010

Court No. - 29

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

**Ref :- [Writ-C No.25622 of 2017]- Order on Civil Misc. Delay
Condonation Application No. 06 of 2025**

1. Heard learned counsel for the petitioner/applicant.
2. Cause shown is sufficient. Delay in filing the substitution application is condoned.
3. The delay condonation application is accordingly allowed.

Ref :- Order on Civil Misc. Substitution Application No. 7 of 2025

1. Heard learned counsel for the petitioner.
2. Learned counsel for the respondents has no objection to the substitution application.
3. The substitution application is allowed. The same may be carried out forthwith.

Ref :- [Writ-C No.32910 of 2012] - Order on Civil Misc. Delay Condonation Application

1. Heard learned counsel for the petitioner.
2. Cause shown is sufficient. Delay in filing the substitution application is condoned.
3. The application is accordingly allowed.

Ref :- Order on Civil Misc. Substitution Application

1. Heard learned counsel for the petitioner.
2. Learned Standing Counsel has no objection to the same.
3. The substitution application is allowed. The same may be carried out forthwith.

Order on leading writ petition

1. Heard Sri Uma Nath Pandey, learned counsel appearing for the petitioners; Sri Rahul Agrawal, learned Additional Advocate General assisted by Sri Fuzail Ahmad Ansari and Sri Nagendra Kumar Pandey, learned Standing Counsel for the State respondents and Sri Manish Goyal, learned Senior Advocate assisted by Sri Suresh Singh, Sri Aditya Bhushan Singhal and Sri Abhay Pratap Singh, learned counsel appearing for respondent no.3 - Yamuna Expressway Industrial Development Authority.
2. These writ petitions raise common question of facts and law and with the consent of the parties, all the writ petitions are being decided by this common judgment.
3. All these writ petitions arise out of the same notification dated 16.10.2009 issued under Section 4 (1) read with Section 17 (1) and 17 (4) of the Land Acquisition Act, 1894 as well as notification dated 01.12.2009 issued under Section 6 (1) of the Land Acquisition Act, 1894

with regard to the different plots situated at Village Dankaur, Paragana Dankaur, Tehsil Sadar, District-Gautam Budh Nagar.

4. The reference of pleadings in Writ C No.25622 of 2017 titled as “*Ranjeet Singh and 2 others Vs. State of U.P. and 2 others*” is sufficient for deciding the bunch of the writ petitions.

5. The petitioners claim to be bhumidhars of Khasra Plot No.333 admeasuring 4-5-1 (1.0879 hectare) situated at Village Dankaur, Paragana Dankaur, Tehsil Sadar, District-Gautam Budh Nagar. The notification dated 16.10.2009 was issued under Section 4 of the Land Acquisition Act, 1894¹ mentioning that the land mentioned in the Schedule is for a public purpose namely ‘planned development’ in District-Gautam Budh Nagar through ‘Yamuna Expressway Industrial Development Authority’². Section 17(1) as well as Section 17(4) of the Act, 1894 were invoked dispensing with the inquiry under Section 5A of the Act, 1894.

6. Learned counsel for the petitioners in this backdrop submits that the petitioners had already filed their objections before the Additional District Magistrate (Land Acquisition), District Gautam Budh Nagar stating therein that since the land in dispute is being used by them as abadi purposes, the same be exempted from the acquisition. Pursuant to the award dated 31.12.2013, neither the compensation has been paid to the petitioners nor the same was deposited before the Court. He submits that though the possession on paper was taken by the respondent authority on 05.02.2010 but the petitioners are still in actual and physical possession of the same and they are residing there and carrying on their business.

7. Learned counsel for the petitioners further submits that as per provision of Section 11-A of the Act, 1894, the Collector is bound to make an award under Section 11 of the Act, 1894 within a period of two years from the date of publication of declaration and if no award is made within the said period, the entire acquisition proceedings shall stand

1. Act, 1894

2. YEIDA

lapsed. He submits that in the present case, this provision is fully applicable as the declaration under Section 6 (1) of the Act, 1894 was issued on 01.12.2009 and the award has been declared on 31.12.2013 i.e. more than four years and as such, the entire acquisition proceedings stand lapsed.

8. Per contra, Sri Manish Goyal, learned Senior Advocate appearing for respondent no.3-YEIDA has vehemently opposed the writ petitions and submitted that the land was acquired for planned development by the YEIDA. There was sufficient material before the State Government for arriving at satisfaction that the land is urgently needed and inquiry under Section 5A of the Act, 1894 is to be dispensed with, looking to the urgency for completion of the project. He submits that the possession has already been taken on 5th February, 2010 by executing a possession memo.

9. Shri Manish Goyal, learned Senior Advocate has furnished the details of all the writ petitions, wherein the possession was taken way back in the year 2010 and the awards were also made on 31.12.2013. He submits that Section 24 (2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013³ deals with land acquisition proceedings initiated under the Act, 1894. It states that if an award was made five years or more before the Act, 2013 came into effect, but the physical possession of the land was not taken or the compensation was not paid, the proceedings will be deemed to have lapsed. He submits that the relief prayed under Section 24 (2) of the Act, 2013 is also not available to the petitioners as the award was made on 31.12.2013 and the acquisition has been approved upto Hon'ble Apex Court. He submits that the claim set up under Section 24 (2) of the Act, 2013 is also unsustainable in view of the judgments of Hon'ble Apex Court in **Indore Development Authority vs.**

3. Act, 2013

Manoharlal⁴ and Kali Charan and others vs. State of UP and others (para-43)⁵.

10. Shri Manish Goyal, learned Senior Advocate further submits that the writ petitions challenging the Yamuna Expressway Project have been dismissed by Division Bench of this Court in the case of **Balbir Singh and another vs. State of U.P. and others⁶** and in the case of **Nand Kishore Gupta and others vs. State of U.P. and others⁷**. Hon'ble Apex Court has also upheld the invocation of urgency clause under Sections 17(1) and 17(4) of the Act, 1894 with regard to Yamuna Expressway Project by its judgment dated 8th September, 2010 in Civil Appeal No.7468 of 2010 (**Nand Kishore Gupta and others vs. State of U.P. and others**) connected with two other appeals. He submits that Yamuna Expressway Project has been held to be urgent project requiring invocation of Sections 17(1) and 17(4) of the Act.

11. Sri Manish Goyal submits that all the nine set of notifications were subject matter of challenge in different writ petitions before this Court and the challenge was repelled, against which the land holders filed various SLPs before the Supreme Court. In some cases challenge was accepted and the writ petitions were allowed. The respondent YEIDA filed review applications which were rejected and aggrieved thereby it went up in SLP before the Supreme Court. All these cases have been decided by the Supreme Court by a common judgment dated 26.11.2024 passed in **Kali Charan's** case (supra) and the judgment of this Court in various writ petitions repelling the challenge has been upheld, whereas the judgment in **Shyoraj Singh v. State of U.P⁸** striking down the acquisition has been held as not laying down correct law.

12. Learned Additional Advocate General contends that a bunch of writ petitions led by Public Interest Litigation (P.I.L.) No.40484 of 2012

4. 2020(8) SCC 129

5. 2024 SCC OnLine SC 3472

6. 2009(10) ADJ 441

7. 2009(10) ADJ 535

8. Writ-C No. 30747 of 2010

(Dharmendra and others Vs. State of U.P. through Special Secretary and others) were also preferred along with various other writ petitions and the Division Bench of this Court vide order dated 04.08.2021 had also dismissed the writ petitions on the ground of inordinate delay. The said order was duly approved by the Apex Court in Special Leave Petition (C) No.14753 of 2021 (Rajendra Singh Vs. State of U.P. and others) vide order dated 27.09.2021. He further submits that the matter is no more res integra and all the writ petitions are liable to be dismissed.

13. Shri Rahul Agrawal, learned Additional Advocate General has also placed reliance on the judgment and order dated 30.09.2022 passed in Writ C No.72679 of 2010 (Committee of Management Shri Dron Gaushala Samiti and another Vs. State of U.P. and others), wherein recall/restoration application no.8 of 2021 was filed for recalling the judgment and order dated 04.08.2021. Subsequently, another co-ordinate Bench of this Court has considered the said order passed by the Division Bench, which is duly approved by the Apex Court. Lastly, he has placed the details which are also brought on record along with counter affidavit of the various writ petitions which are pending consideration along with the instant matter.

14. Heard rival submissions and perused the record.

15. We find that a challenge to the same notification was made before the Division Bench in a leading Writ C No.20585 of 2010 titled as **“Natthi Vs. State of U.P. and others”** and other connected matters. The Division Bench vide judgment and order dated 12.11.2010 had dismissed all the writ petitions with an observation that invocation of Section 17(4) of the Act, 1894 cannot be vitiated and no other grounds were made out in the writ petitions on the basis of which, acquisition of land has been struck down. Relevant portion of the judgment is reproduced hereinafter:-

“The submission next pressed by the learned counsel for the petitioner is that there was no material before the State Government for arriving at subjective satisfaction that invocation of Section 17(4) of the Act was necessary in facts of the present case. In the counter affidavit filed by the State relevant materials including the correspondence between Yamuna Expressway

Industrial Development Authority and the State authorities and the relevant noting and letters have been brought on the record. Annexure CA-2 to the counter affidavit of the State is a letter written by the Additional District Magistrate (Land Acquisition) to the Director, Land Acquisition Directorate recommending invocation of Section 17(1) and 17(4) of the Act. It was specifically mentioned that acquisition of land is being proposed as "contiguous" part of the residential project. The Additional District Magistrate (Land Acquisition) has also given certificate in PRAPATRA-10, which has been filed as Annexure-3 to the counter affidavit of the State. In view of the aforesaid materials, it cannot be said that there was no material before the State Government to arrive at subjective satisfaction that the land is urgently needed and dispensation of inquiry under Section 5-A of the Act is necessary.

We cannot loose sight of the fact that the land, which is subject to acquisition in question, is contiguous to the residential parcels, which was acquired for the purpose of residential, industrial, amusement etc. along with Yamuna Expressway. It has been specifically pleaded in paragraph 18 of the counter affidavit of respondent No.3 that the land in question is being acquired to connect Yamuna Expressway to residential sectors. We have no reason to disbelieve the pleadings of respondent No.3 in this regard. When the challenge to land parcels as well as Yamuna Expressway has been upheld by the Apex Court as noticed above, we cannot accept the submissions of learned counsel for the petitioner that contiguous land to the land parcels, which are being developed for residential and industrial purposes connecting it with Yamuna Expressway, is not an urgent matter so as to require invocation of Section 17(1) and 17(4) of the Act. When land acquisition for five land parcels across the Yamuna Expressway has been held to be such urgent acquisition requiring invocation of Section 17(4) of the Act, the same principle has to be applied in facts of the present case also.

It has been submitted by the learned counsel for the petitioner that respondents have not brought on the record any map or plan to prove that road shall be constructed in the land in question. In paragraph 23 of the writ petition, it has been pleaded that there is no approved master plan of respondent no.3-Development Authority, prepared according to the U.P. Urban Planning and Development Act, 1973 and the U.P. Industrial Area Development Act, 1976. The said averment has been denied in paragraph 30 of the counter affidavit of respondent No.3. It has been stated in paragraph 30 of the counter affidavit that Drafted Master Plan 2031 has been approved by the State Government and the State Government has sent the map to Chief Coordinator, Ghaziabad and the Chief Coordinator Ghaziabad has sent the map for incorporating the objection to NCR Board, New Delhi and no objection has been sent for incorporating in the map by the NCR Board.

One of the submissions, which has been raised by counsel for the petitioner, is that there is no approval by the NCR Board with regard to plans of respondent No.3, hence there was no urgency in the matter. It has been stated in paragraph 20 of the writ petition that without prior approval, consultation and permission of the National Capital Region Board, such acquisition or

development cannot be permitted in view of the provisions of National Capital Region Planning Board Act, 1985. The averments made in paragraph 20 of the writ petition has been denied in paragraph 30 of the counter affidavit of respondent No.3 and it has been stated that after approval of the State Government the draft Master Plan 2031 has been sent to the NCR Board. It has further been stated that the National Capital Region Board Act, 1985 does not prohibits acquisition of land. In the counter affidavit filed on behalf of the State copy of the letter dated 28th May, 2009 of the State of U.P. addressed to the Chief Coordinator, National Capital Region Board, has been brought on the record. By the said letter the area development plan of the Yamuna Expressway Industrial Development Authority has been prayed to be included in the Regional Plan of the National Capital Region Planning Board. It has been stated that no objection has been raised by the National Capital Region Planning Board. No material has been brought on behalf of the petitioner that any objection has been raised by the National Capital Region Planning Board.

The National Capital Region Planning Board Act, 1985 has been enacted to provide for the constitution of a planning board for the preparation of a plan for the development of the National Capital Region and for coordinating and monitoring the implementation of such plan. Sections 8 and 9 provide for power of the Board and functions of the committee respectively. Section 17 of the 1985 Act provides for preparation of sub-regional plans by the participating State. Section 19 of the 1985 Act provides for submission of sub-regional plans to the Board. Section 19 of the 1985 Act is quoted below:-

"19. Submission of Sub-Regional Plans to the Board

(1)Before publishing any Sub-Regional Plan, each participating State or, as the case may be, the Union territory, shall, refer such Plan to the Board to enable the Board to ensure that such Plan is in conformity with the Regional Plan.

(2)The Board shall, after examining a Sub-Regional Plan, communicate, within sixty days from the date of receipt of such Plan, its observations with regard to the Sub-Regional Plan to the participating State or the Union territory by which such Plan was referred to it.

(3)The participating State, or, as the case may be, the Union territory, shall, after due consideration of the observations made by the Board, finalize the Sub-Regional Plan after ensuring that it is in conformity with the Regional Plan."

From the scheme of the 1985 Act, it is clear that for sub-regional plans, the Board has to communicate within sixty days from the date of receipt of such plan its observation with regard to sub-regional plan so that participating State after due consideration of the objection, finalise the sub-regional plan after ensuring that it is in conformity with the Regional Plan. The provisions of the 1985 Act does not require any prior approval by the Board.

The Division Bench judgment relied by counsel for the respondents, in Civil Misc. Writ Petition No.45736 of 2004 (Raj Kumar vs. State of U.P. and others) rejected the similar contention that acquisition violated the provisions

of the 1985 Act. Following was laid down in paragraph 7 of the said judgment:-

"7. The next contention of the petitioner to the effect that the acquisition will violate the provisions of the National Capital Region Planning Board is also misconceived. There is no material to indicate that any of the provisions of the said Act has been violated. The notification cannot be set-aside on the said ground. Shri B.D. Mandhyan has relied on the decision of Ravindra Singh and others vs. State of U.P. and others, reported in 1997 AWC (1) 54. The said contention of Shri B.D. Mandhyan was also advanced in the case of M/s Bansal Estate vs. State of U.P. and other decided by us today and the aforesaid contention is also liable to be rejected in view of the following opinion expressed by us in para 11 of the said judgment which is quoted herein below:

"11. The last submission of Shri Mandhyan which was to the effect that there is no approval from the National Capital Region Board and, therefore, in view of the decision of this Court in Ravindra Singh's case (supra) this Court should quash the notification on the said ground. From a perusal of the last paragraph of the decision in Ravindra Singh's case, it would be evident that the notifications under challenge in the said case were upheld. In view of this, there is no occasion for this Court to quash the petition on the said ground. Further at this stage, the question as to whether there is proper approval or not from the National Capital Region Board, will arise only after the development work proceeds and the plots are sanctioned by the authority concerned while proceeding to carry out industrial development. In the opinion of this Court, the aforesaid stage had not been arrived and moreover the petitioner cannot have any grievance on that score for the purpose of challenging the notification under Section 4 & 6. The scope of challenge to the notifications under Sections 4 and 6 are very limited. In our opinion, no ground has been made out by the petitioners for assailing the notifications in view of the findings arrived at hereinabove."

Learned counsel for the petitioner has placed reliance on paragraphs 134 and 136 of the judgment in Sri Ram Chaudhary's case (supra). Paragraphs 134 and 136 of the judgment are quoted below:-

"134. The next dispute as raised by Mr. Upadhyaya is that no development work has been done by the petitioner company on the land in question and the layout plan has been legally disposed of, as the disputed land in question is earmarked as institutional and green area in the Master Plan-2021 of the Greater Noida Authority. Mr. Shashi Nandan, learned Senior Counsel appearing for the petitioner company, contended before this Court that the layout plan can not be legally disposed of. The Master Plan-2021 of the Greater Noida Authority has not yet got its approval under the National Capital Region Planning Board Act, 1985 (hereinafter in short called as the "NCR Act"). We have called upon Mr. Shashi Nandan to place such Act to understand the scope and ambit of it, which was done accordingly. We find the following objects and reasons made available for the purpose of implementing such Act, as under:

"An Act to provide for the constitution of a Planning Board for the preparation of a plan for the development of the National Capital Region and for co-ordinating and monitoring the implementation of such plan and for evolving harmonized policies for the control of land-uses and development of infrastructure in the National Capital Region so as to avoid any haphazard development of that region and for matters connected therewith or incidental thereto."

136. By citing all these sections Mr. Shashi Nandan has contended before this Court that let the records be produced by the authority to show that the Master Plan-2021 has been approved by the National Capital Region Planning Board but the respondent authority in spite of bringing the record failed to establish before the Court that the Master Plan-2021 is approved by the National Capital Region Planning Board."

The Division Bench of this Court in abovenoted paragraphs has noted only the submissions made by counsel for the petitioner in that case. No such ratio has been laid down in the aforesaid case that prior approval of National Capital Region Planning Board is required of master plan. The above case does not help the petitioner in the present case.

In view of the foregoing discussions, we are of the view that stand of the State Government for invoking Section 17(4) of the Act cannot be said to be vitiated. No ground is made out in the writ petition on the basis of which the acquisition of land can be struck down. None of the submissions raised by the petitioner has any substance.

All the writ petitions are dismissed.

No order as to cost."

16. The aforesaid judgment has been affirmed by the Apex Court in ***Natthi Etc. Vs. State of U.P. and others***⁹ vide order dated 09.05.2011. The order is reproduced hereinbelow:-

"1. Delay condoned.

2. This petition is directed against order dated 12.11.2010 (Natthi v. State of U.P., Writ-C No.20585 of 2010) passed by the Division Bench of the Allahabad High Court whereby the writ petition filed by the petitioners questioning the acquisition of their lands for Yamuna Expressway by invoking the urgency provisions contained under Section 17 of the Land Acquisition Act, 1894 was dismissed.

3. We have heard learned counsel for the petitioners and perused the reord.

4. In our opinion, the special leave petition is liable to be dismissed because similar challenge was negatived in Nand Kishore Gupta v. State of U.P. (2010) 10 SCC 282. Order accordingly."

9. Special Leave to Appeal (Civil) No.7584-7589 of 2011

17. Later on, similar acquisition had again subjected to challenge in **Yogesh Kumar and others Vs. State of U.P. and others**¹⁰ and the Division Bench has also approved the notification and upheld the notification of an urgency clause under section 17(1) and 17(4) of the Act, 1894, relying upon the judgment passed by the Division Bench in Natthi's case (supra) and dismissed the same vide judgment and order dated 01.03.2013 with following observations:-

"After consideration of the submission of both the learned counsel for the parties it was held that the acquisition/urgency clause does not vitiate on the ground that there was no prior approval of NCR Board in so far as notifications dated 16.10.2009 and 1.12.2009 issued under Sections 4 and 6 of the Land Acquisition Act; respectively, which are under challenge in the present petition.

Learned counsel for the petitioner further placed reliance upon Full Bench judgment of this Court in **Gajraj Singh vs. State of U.P.** wherein the issue, whether the plan prepared by the Greater NOIDA requires consideration and approval of the Board or not, was dealt with. While dealing with the said issue Full Bench of this Court in paragraph 274 has held :-

"We are further of the view that Greater Noida Authority cannot proceed to implement Master Plan 2021 till it is permitted by N.C.R.P. Board. Greater Noida Authority shall ensure that no development by it or by its allottees be undertaken as per draft Master Plan 2021 till the same receives clearance by N.C.R.P. Board. We make it clear that it shall be open to carry on developments by Authority and its allottees as per earlier plan approved by N.C.R.P. Board."

The observations of Full Bench of this Court in paragraph 274 is to the effect of development of the acquired land by the Greater NOIDA authority and the Court has held that Greater NOIDA authority cannot proceed to implement master plan 2021 till it is permitted by N.C.R. Planning Board. Thus the issue as decided by Full Bench of this Court in Gajraj Singh (supra) is that development work shall be carried out with the approval of the NCR Planning Board by the authority.

In view of the above discussion, the contention of learned counsel for the petitioners that subsequent to the judgment dated 12.11.2010, the Apex Court and Full Bench of this Court have held that absence of prior approval of National Capital Region Planning Board (N.C.R.P. Board) would render the entire acquisition proceedings illegal and hence vitiated is not worthy of acceptance. The Court after consideration of the provisions of N.C.R.P. Board Act, 1985 has held that development work has to be carried out and the acquisition would not be vitiate in absence of approval of the NCR Board and the urgency clause invoked would not be affected.

10. Writ C No.10782 of 2013

For the foregoing reasons, we do not find any substance in the arguments made by the learned counsel for the petitioners to distinguish the judgment and order dated 12.11.2010 passed in Natthi (supra) challenging the notifications under challenge in the present petition.

The writ petition lacks merit and is accordingly dismissed.”

18. The aforesaid judgment was also approved by the Apex Court in Yogesh Kumar and others vs. State of UP and others¹¹ vide order dated 23.09.2013.

19. A challenge to the aforesaid notifications under Sections 4 (1) & 6 (1) of the Act, 1894 was also made in **Dharmendra and others vs. State of U.P. through Special Secretary and others**¹² connected with 44 other writ petitions, which were dismissed by the Division Bench as infructuous vide an order dated 04.08.2021 on the ground that as award under the Act, 1894 has already been passed and thus, the writ petitions had become infructuous. The said order has also been approved by the Apex Court in **Rajendra Singh (since deceased) through Lrs & ors vs. the State of Uttar Pradesh & ors**¹³ which was dismissed vide an order dated 27.09.2021.

20. We have gone through the said judgment passed in **Kali Charan** (supra). The conclusion recorded by the Hon’ble Supreme Court in paragraph 42 onward is as follows:-

"... 42. This Court, in the cases of Savitri Devi v. State of Uttar Pradesh; (2015) 7 SCC 21, Sahara India Commercial Corporation Limited v. State of Uttar Pradesh; (2017) 11 SCC 339 and Noida Industrial Development Authority v. Ravindra Kumar; (2022) 13 SCC 468, despite holding the invocation of the urgency clause under Sections 17(1) and 17(4) of the Act to be illegal, nonetheless upheld the acquisition proceedings and directed enhancement of compensation so as to compensate the land owners. However, in the present case, we have concluded that the action of the State in invocation of the urgency clause is in consonance with the law.

43. The Division Bench of the Allahabad High Court, while delivering its decision in Kamal Sharma has already granted additional compensation of 64.7% to the landowners, to be offered as ‘No Litigation Bonus’ in consonance with the Government order dated 4th November, 2015, thus there is no scope to direct further enhancement in compensation.

11. Special Leave to Appeal (C) No. Nil of 2013 (CC 16505/2013)

12. Public Interest Litigation (PIL) No.40484 of 2012

13. Special Leave to Appeal (C) No(s).14753 of 2021

44. In light of the Government order dated 4th November, 2015 and the precedents set in *Savitri Devi v. State of Uttar Pradesh*; (supra) and *Yamuna Expressway Industrial Authority v. Shakuntla Education and Welfare Society*; 2022 SCC OnLine SC 655, it is directed that 64.7% enhancement in compensation shall apply in rem, ensuring uniform benefits to all affected landowners under the present land acquisition.

45. The question of non-issuance of the final award and its effect on the acquisition is left open ensuring that any affected party would retain the right to challenge or seek appropriate remedy on this specific issue independently, in accordance with law.

46. As a result of the above discussion, the appeals filed by the landowners i.e. Batch No. 1, are dismissed, and the appeals filed by YEIDA i.e. Batch No. 2, are hereby allowed. ..."

21. In view of the above, we are of the opinion that the instant case is fully covered by the aforesaid judgments of Hon'ble Supreme Court and accordingly, the challenge to the impugned notifications is held to be unsustainable. However, in terms of paragraph 45 of the judgment of the Supreme Court in **Kali Charan** (supra), liberty is accorded to the petitioners to challenge the award in independent proceedings.

22. Accordingly, all the writ petitions and pending application(s), if any, stand disposed of.

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

November 11, 2025

Sumit S/PKB/RKP