

Court No. - 2

Case :- MISC. BENCH No. - 10246 of 2021

Petitioner :- Panchram Prajapati & Ors.

Respondent :- State Of U.P.Thru Prin./Addl. Secy. Revenue Lucknow & Ors.

Counsel for Petitioner :- Onkar Nath Tiwari, Maya Ram Yadav

Counsel for Respondent :- C.S.C., S.B.Pandey

Hon'ble Rajan Roy, J.

Hon'ble Saurabh Lavania, J.

Heard.

Grievance of the petitioners is that without any acquisition or without their consent, who are bhumidhars of their land and houses thereon, falling in Village Daramdaspur Shahadat, Tehsil-Sadar, District-Ayodhya, their land is being encroached for construction of an Airport in gross violation of their right to property as also to be treated in a fair and reasonable manner. The provisions of the Land Acquisition Act, 2013 are also not being followed. There is no criteria fixed as to how the lands are to be acquired or the same are to be purchased. If they are to be purchased at what rate, there is no guideline in this regard. Therefore, the District Authorities are acting in arbitrary manner. The allegation is also of forcibly compelling the petitioners to sell their land at inadequate rate.

Let the opposite party Nos.2, 3 and 4 appear before this Court through Video Conferencing on 29.06.2021 and put forth their factual version in the light of the averments made in the writ petition as to whether the land of the petitioners has been acquired, if not, whether it has been purchased. If land is being purchased en-masse whether there are any guideline or criteria laid down for the said purpose as to at what rate the land would be purchased and how the consideration would be paid etc?

The Additional C.S.C. shall send requisite link for joining of the aforesaid Officers for Video Conferencing from their place of posting, if they so choose, or they may join the Additional C.S.C. at Lucknow as per their wish. The Officers shall also apprise the Court as to when the circle rate was last revised.

Needless to say that if the land of the petitioners has not been acquired, they can not and would not be compelled to sell their land unless they consent to it.

List on 29.06.2021.

Order Date :- 23.6.2021

Vinay/-