

**Chief Justice's Court**

**Case :-** WRIT - C No. - 25096 of 2021

**Petitioner :-** Jeet Narayan Yadav and 2 others

**Respondent :-** State of U.P. and 2 others

**Counsel for Petitioner :-** Mr. Brajesh Kumar Singh, Advocate

**Counsel for Respondent :-** Mr. Rajeev Singh, Standing Counsel for respondent Nos.1 and 2 and Mr. Azad Rai, Advocate for respondent No.3

**Hon'ble Rajesh Bindal, Chief Justice**

**Hon'ble Piyush Agrawal, J.**

The issue sought to be raised in the present writ petition is that the land of the petitioners has been taken, however, no compensation has been paid.

Number of cases have been listed before the Court regularly where either the land was acquired and possession thereof was taken but no compensation has been paid or the cases where the possession was taken without acquisition of land and without payment of compensation.

At the time of hearing, it is pointed out that mainly land is acquired by either the Revenue Department, Public Works Department and the Irrigation Department.

The Additional Chief Secretaries of the Revenue Department, Public Works Department and the Irrigation Department shall get the list of such cases pending in this Court prepared along with the issues raised therein. They shall also apprise the Court as to what steps have been taken to resolve the grievance of the petitioners as the State is not expected to take the land of the people and not pay the compensation.

The personal affidavits of aforesaid Additional Chief Secretaries shall be filed in the present petition by the next date of hearing.

Adjourned to December 03, 2021.

**Date :-** 2.11.2021

Rakesh/Kuldeep

(Piyush Agrawal, J.)

(Rajesh Bindal, C.J.)

**Chief Justice's Court**

**Case :-** WRIT - C No. - 25425 of 2021

**Petitioner :-** Ram Kailash Nishad and others

**Respondent :-** State of U.P. and others

**Counsel for Petitioner :-** Ashok Kumar Singh, Advocate

**Counsel for Respondent :-** S.D. Kautilya, Advocate, A.P. Paul, Standing Counsel

**Hon'ble Rajesh Bindal, Chief Justice**

**Hon'ble Piyush Agrawal, J.**

One of the prayer as made by the petitioners in the present writ petition is that their representation dated February 25, 2020 is pending before the respondent no.2 and the same has not been disposed of.

Grievance raised by the petitioners is that their land have been taken and no compensation has been paid till date.

At the time of hearing, reference was made to the order dated November 22, 2019 passed by this Court in Writ C No.38044 of 2019 (Dayaram and others versus State of U.P. and others). In the aforesaid order, it is noticed that procedure has been provided for raising grievances. In case, any land of land owners is taken without acquisition process, the District Magistrate of the district concerned is the competent authority to deal with such grievances. It is in terms of the Government Order dated May 12, 2016.

In the case in hand, the petitioners claim that the application dated February 25, 2020 was sent to the District Magistrate by registered post on the same day.

Once the procedure has been provided in the Government Order dated May 12, 2016 itself for redressal of the grievances being raised by the land owners whose land have been taken by any authority of the State Government without carrying out any acquisition process, then why the officers concerned are not taking steps on the application so filed, as in the case in hand, the same has not been decided for the last more than one year and eight months.

All the District Magistrates in the State of Uttar Pradesh are directed to dispose of any such application pending before them till February 18, 2022 and file their affidavits in the Court, giving particulars of the applications received and decided. In case, any such application is not decided, the reasons therefor.

Adjourned to February 25, 2022.

Learned Standing Counsel to convey the order passed today by this Court to all the officers concerned.

Copy of the order be supplied to the Standing Counsel by today itself for necessary compliance.

**Date :- 2.11.2021**

Manish Himwan/Kuldeep

(Piyush Agrawal, J.)

(Rajesh Bindal, C.J.)