

State of U.P. Vs. Triloki Narain Chadda and Another

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Court : Allahabad

Decided On : Jan-04-1995

Reported in : AIR1995All410

Judge : M. Katju, J.

Acts : Urban Land (Ceiling and Regulations) Act, 1976 - Sections 2

Appeal No. : Civil Misc. Writ Petn. No. 14330 of 1982

Appellant : State of U.P.

Respondent : Triloki Narain Chadda and Another

Advocate for Def. : Standing Counsel

Advocate for Pet/Ap. : S.V. Goswami, Adv.

Judgement :

ORDER

1. This writ petition has been filed against the impugned order dated 15-7-1982. I have heard the learned standing counsel for the petitioner and the learned counsel for the Respondent No. 1 and have perused the record. I find no infirmity in the impugned order. It has been observed in paragraph 6 of the impugned order that there are six residential units for each of which the respondent No. 1, the appellant is entitled to 1000 square meters appurtenant land under the U.P. Urban Land

(Gelling and Regulations) Act, hereinafter referred to as the Act. Under Section 2(q)(ii) of the Act land appurtenant to a building is not included within the definition of vacant land. Hence the appellate Court has rightly held that for each residential building the respondent No. I will be entitled to 1000 square meters of appurtenant land. There is no infirmity in the impugned order. The petition is accordingly dismissed. No order as to costs.

2. Petition dismissed.

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