

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 51444/2023

(Arising out of impugned judgment and order dated 21-08-2023 in PIL No. 1889/2023 passed by the High Court of Judicature at Allahabad)

KANPUR DEVELOPMENT AUTHORITY & ANR.

Petitioner(s)

VERSUS

PRANTESH NARAYAN BAJPEYI & ORS.

Respondent(s)

(IA No.2826/2024-CONDONATION OF DELAY IN FILING)

Date : 09-02-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Tushar Mehta, Solicitor General  
Ms. Harshita Raghuvanshi, AOR  
Mr. Shashank Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Heard Mr. Tushar Mehta, learned Solicitor General appearing for the petitioners.

The counsel submits that the Kanpur Development Authority is seriously prejudiced as the Division Bench of the High Court passed substantial order without waiting for the counter affidavit of the Kanpur Development Authority. The offending part of the impugned order in the PIL reads as under:-

"Considering the submissions advanced by the learned Senior Counsel for the Petitioner and also taking note of the fact that the Respondent

Development Authority is only in possession of part of the land and the scheme for proposed 'New Kanpur City' as of now is not viable, it is provided that parties shall maintain status quo as it exists today. However, it shall be open for the Kanpur Development Authority to proceed with the negotiations with the tenure holders."

According to the counsel, the Authority is in possession of 111.8468 hectares of land out of total area of 464.6965 hectares and since the land in possession lies scattered, the Authority is proposing to acquire land to make the project viable. In fact, the Central Government has sanctioned money for the project and if the status quo order continues, the effort to acquire the required land will get thwarted and the public project will be seriously compromised.

Issue notice, returnable in four weeks.

In the meantime, there shall be stay of operation of the order dated 21.08.2023.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR