



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 6683 of 2026

Kanchan Singh

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Of Housing
And Urban Planning Lko. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Anuj Kumar Gupta, Vipul Pratap
Mishra

Counsel for Respondent(s) : C.S.C., Ratnesh Chandra

Court No. - 2

HON'BLE PANKAJ BHATIA, J.

HON'BLE AMITABH KUMAR RAI, J.

1. Heard learned Counsel for the petitioner and Sri Ratnesh Chandra, learned Counsel appearing on behalf of the Lucknow Development Authority, Lucknow.
2. The contention of the Counsel for the petitioner is that the petitioner had raised constructions over the property purchased by him by virtue of a sale deed executed in his favour, and as the area was less than the area prescribed in which the maps are required to be sanctioned, no sanctioned of map was taken. It is further argued that a notice for demolition was issued to the petitioner and ultimately an order came to be passed for demolition against the petitioner on 30.11.2024.
3. It is stated that against the said order, the petitioner preferred an appeal along with delay condonation application. The respondents had put in appearance in the appeal and the appeal was being heard before the Commissioner in terms of the prescriptions contained in the statute and despite the appeal being heard, the respondents carried the demolition proceedings, which are wholly illegal.
4. It is further argued that in the vicinity, there are substantial number of properties and selective demolition was carried in respect of the property owned by the petitioner.

5. During the course of hearing, photographs were produced to demonstrate that certain other constructions have been made in similar manner, which have not even been touched and sealed. *Prima facie*, the *mala fide* at the instance of the Lucknow Development Authority stands established.

6. Sri Ratnesh Chandra, learned Advocate tried to defend the said action of the respondents-authorities by arguing that twice the property in question was sealed, however, despite the sealing of the premises, constructions activities were carried out, which led to action of demolition against the petitioner.

7. *Prima facie*, the selective action has been taken against the property owned by the petitioner and no such action appears to have taken against any other property in the vicinity.

8. Sri Ratnesh Chandra states that notices were issued to as many as 70 persons and on that basis, demolition orders are passed, however, no demolition was carried on the said property. The said statement was given by Sri Ratnesh Chandra on the basis of the instructions provided by Mr. Devansh Trivedi, OSD, LDA, who had also gone to the property at the time of demolition.

9. The submissions and satisfaction expressed by Sri Ratnesh Chandra appear to be *prima facie* only to avoid the real issue that, during the pendency of the appeal, the demolition could not have been carried out, more so as the parties were appearing before the appellate authority.

10. In view of above, *prima facie*, the matter requires consideration.

11. The Vice Chairman of the Lucknow Development Authority, Lucknow as well as Mr. Devansh Trivedi is directed to file personal affidavit as to how the selective action is to be taken only in respect of one property and no action has been taken in respect of other properties allegedly in the vicinity, which have been raised without any sanction of map. The said affidavit shall be filed within a period of three weeks from today.

12. List this matter after three weeks.

13. Till the next date of listing, no further demolition shall be carried out over the property in question.

14. On the next date, this Court shall consider taking action against Sri Devansh Trivedi in terms of the provisions of Section 26-D of the Uttar Pradesh Urban Planning and Development Act, 1973.

(Amitabh Kumar Rai,J.) (Pankaj Bhatia,J.)

June 24, 2026

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