



2026:AHC-LKO:16310-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 2051 of 2026

Radhey Raman Shukla

.....Petitioner(s)

Versus

State Of U.P. Thru. Its Addl. Chief Secy. Housing
And Urban Planning Deptt. Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Vishnu Dev Shukla, Akshay Rohit Kumar, Rajesh Kumar Dwivedi
Counsel for Respondent(s)	: C.S.C., Puneet Chandra

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard Sri Vishnu Dev Shukla, learned counsel for the petitioner, learned Additional Chief Standing Counsel for the State and Sri Puneet Chandra, learned counsel for the opposite party nos. 2 and 3.
2. Learned counsel for the petitioner at the very outset does not press relief no. 2.
3. The claim of the petitioner is that 10% out of 32 plots were reserved for Senior Citizens, however, in the impugned order it has been incorrectly mentioned that only 6 plots were available and as per the relevant rule there were 16 applicants for purchase of the same on making of lump sum payment which had to be given priority in view of Rules 9 of the U. P. Avas Evam Vikas Parishad Adhiniyam, 1965, therefore, no plots were left for being allotted to those who had opted to pay consideration in installments.
4. The contention is that in fact there were 13 plots, an aspect which has not been considered.
5. Although, we find that even if there were 13 plots there were 16 applicants who were ready to pay consideration in lump sum installments. Nevertheless, as this aspect has not been dealt with in the impugned order we direct the Housing Commissioner, U.P. Avas Evam Vikas Parishad,

Lucknow to revisit his order dated 05.05.2025 in the light of what has been noticed hereinabove, verify as to whether the number of plots for Senior Citizens were 13 or not. Give reasons in this regard and then, if he finds that there were 13 plots, then, he shall pass a fresh order in the matter as to whether the petitioner was entitled to be allotted a plot under the category of applicants who had applied for paying consideration in installments or not. If not, the reasons therefor.

6. Let the aforesaid fresh decision be taken within a period of six weeks.

7. The impugned order shall abide by fresh decision aforesaid.

8. In the event the Housing Commissioner arrives at the conclusion that the petitioner is entitled to be offered any plot out of the same which may be vacant, then, on intimation the petitioner shall pay back the money which has been deposited in his account within a period of 10 days on receipt of such intimation. Thereafter, the matter shall proceed accordingly as per law.

9. With the aforesaid observations/directions, the writ petition is **disposed of.**

(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

February 27, 2026

R.K.P.