



2026:AHC-LKO:16803-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 2406 of 2026

Matadin Kewat

.....Petitioner(s)

Versus

State Of U.P. Thru.Its Prin.Secy.Deptt.Of Housing
And Urban Planning, Lko. And 3 Others

.....Respondent(s)

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

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard learned counsel for the petitioner, learned State Counsel Shri Raj Bux Singh, as well as learned counsel for the L.D.A. Shri Prakhar Mishra.

2. There is a dispute as to whether notice for stopping the construction was served upon the petitioner or not. As per the L.D.A. counsel it was affixed on the premises where the construction was being undertaken illegally during the pendency of proceedings under Section 27 of the U.P. Urban Planning and Development Act, 1973 (hereinafter referred to as the 'Act, 1973') and in para-12 the petitioner has admitted of having knowledge about the proceedings under Section 27 of the Act, 1973 and has even participated therein, therefore, there is no flaw in sealing the premises in question. Moreover, he says that there is statutory remedy under Section 28-A(4) of the Act, 1973 by way of an appeal to the Chairman of the L.D.A. against such sealing, which has not been availed, as such, this petition is not maintainable.

3. In view of the aforesaid, we are of the opinion that the petitioner should file an appeal, if so advised, challenging the sealing and contest the proceedings under Section 27 of the Act, 1973.

4. *Disposed of.*

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

February 27, 2026MVS/-

