



2026:AHC:53640-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 8803 of 2026

Ram Prakash Singh Rana And 3 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Himanshu Srivastava, Sr. Advocate
Counsel for Respondent(s)	:	C.S.C.

Court No. - 21

HON'BLE MAHESH CHANDRA TRIPATHI, J.
HON'BLE KUNAL RAVI SINGH, J.

1. Heard Shri Siddharth Srivastava, learned Senior Counsel assisted by Shri Himanshu Srivastava, learned counsel for the petitioners and Shri Devesh Vikram, learned Additional Chief Standing Counsel for the State-respondents.

2. The petitioners who are permanent residents and tenure holders of Village Amaur, Narwal, Tehsil Narwal, District Kanpur Nagar have approached this court *inter alia* for the following relief:

"i. Issue a writ order or direction in the nature of mandamus commanding the respondents not to carry out the widening work of the link road connecting the AH-1 with Kanpur Defense Node at Village Sarh in Village - Amaur, Narwal, Tehsil - Narwal, District - Kanpur Nagar.

ii. Any other writ order or direction to which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

iii. Award the cost of instant writ petition."

3. Shri Siddharth Srivastava, learned Senior Counsel appearing for the petitioners, submits that a link road passing through the petitioners' village was originally about 60 feet wide, however respondent no. 3 – Public Works Department (PWD) has undertaken a project to widen the same to 120 feet in order to connect AH-1 with the Kanpur Defence Node

at Village Sarh. In pursuance thereof, a public notice dated 20.01.2026 was issued and published in the newspaper *Amar Ujala* dated 25.01.2026, inviting affected tenure holders to settle their land matters through compromise. It is submitted that although several villages have been mentioned in the notice, the petitioners' village Amaur, through which the road also passes, has not been mentioned despite the land of the petitioners being affected. A Google Map and photographs of the ongoing work have been annexed as Annexure Nos. 4 and 5.

4. Learned Senior Counsel for the petitioners further submits that the petitioners are not opposed to the work of road widening; however, adequate compensation must be ensured under the *Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013* (hereinafter referred to as "the Act, 2013"). In the absence of such adequate compensation, the petitioners may not be uprooted from their holdings.

5. Per contra, Shri Devesh Vikram, learned Additional Chief Standing Counsel for the State-respondents, submits that admittedly the respondent – PWD, through which the road widening work is being carried out, has issued a notification dated 20.01.2026 stating that land would be required for the road widening (four-lane) through mutual negotiations/agreement. He submits that it is not the endeavour of the respondent authorities to uproot any tenure holders from their native place, but the object is to carry out developmental work. He further submits that in case the petitioners' holdings have been utilized for road widening, the matter of the petitioners shall be considered by the District Level Committee under the Government Order dated 12.05.2016, issued by the State Government, wherein it has been provided that in case the land of any tenure holder has been utilized for a public purpose, adequate compensation may be ensured in accordance with the provisions of the Act, 2013. He submits that he has no objection in case the petitioners are relegated to avail the aforesaid remedy before the District Level Committee.

6. Considering the facts and circumstances of the case and the relief prayed for, we find that since the respondents have proceeded with the project of widening the link road passing through the petitioners' village

to 120 feet in order to connect AH-1 with the Kanpur Defence Node at Village Sarh, and in pursuance thereof a public notice dated 20.01.2026 was issued inviting affected tenure holders to settle their land matters on the basis of compromise, it would be appropriate that the present matter be relegated to the District Level Committee, which may examine the claim of the petitioners within a reasonable time and submit its report to the Chairman/District Magistrate, who may accord adequate compensation accordingly.

7. Accordingly, we **dispose of** the present petition with liberty to the petitioners to make a fresh representation along with a true attested copy of this order before the District Level Committee constituted under the Government Order dated 12.05.2016 within a week from today. In the event such representation is made, the District Level Committee shall submit its report to the Chairman/District Magistrate, Kanpur Nagar within two weeks thereafter. The Chairman/District Magistrate, Kanpur shall consider the claim of the petitioners and ensure that the proceedings are finalized within a week thereafter.

(Kunal Ravi Singh,J.) (Mahesh Chandra Tripathi,J.)

March 17, 2026

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