

Government of UP
Industrial Development Department; Section -4
No. 4764/ 77-4-25 /191 Appeal/24
Lucknow: Dated 16.9.2025
M/s GPL Infrabuild Pvt Ltd. Revisionist
Vs
NOIDA Authority Respondent

The present revision petition has been filed u/s 41(3) of the Uttar Pradesh Urban Planning & Development Act, 1973 and Section 12 of the Uttar Pradesh Industrial Area Development Act, 1976 against the cancellation order dated 10-12-2022 issued by the Respondent Authority with a prayer that the said cancellation order be set aside and the plot be restored without restoration charges. They have further prayed for granting extension of time for project completion and zero period from the date of cancellation till date of restoration. It may not be out of place to mention that the Revisionist was allotted Plot No. 02, Sector 106 admeasuring 2000 sq.m. on 01-04-2016. The lease deed for the same was executed between the two parties on 30-03-2017; however, the Respondent Authority could not deliver the vacant possession of the plot till date.

The main ground for the prayer is that the allottee/revisionist were not provided the vacant possession of the plot in question since it had a high-tension transmission tower and electrical line within the plot boundary, which prevented the Revisionist from gainfully using it for the purpose "Setting up of Software IT Unit/ITES" project. The Respondent Authority is obligated to deliver the allotted plot free from all encumbrances so that the Revisionist could exercise his rights under the lease deed without any let or hindrance.

Upon hearing, both parties were ordered to sit together to suggest a way forward. NOIDA Authority was directed to pursue with the concerned departments to shift the high-tension electricity line and tower. Further, the Revisionist agreed that he may be given the same plot free from all encumbrances or in the alternative, another plot of the same size, but the Respondent Authority had not suitable plot available at the moment.

Heard Mr Ankitesh Agarwal, advocate on behalf of Revisionist who is present in person. Mr. Sanjay Khatri, ACEO, NOIDA Authority is present through VC.

The Respondent Authority has informed that the high-tension electricity line and tower, which prevented the Revisionist from obtaining the vacant possession of the plot in question has now been removed & the plot is ready to be handed over to the Revisionist. Respondent Authority has already issued a letter dated 08-09-2025 to this effect.


The Revisionist's claim for grant of Zero Period in respect of time from the execution of lease deed till the date on which vacant possession of the plot is handed over to the Revisionist. The Unified Policy promulgated by the Respondent Authority on 16-05-2025 clause 28 (A)(c) permits grant of zero period where possession of land has not been given to the allottee due to circumstances beyond this control. I agree with the contention of the Revisionist. Accordingly, it is directed that the period between the date of execution of lease deed that is 30-03-2017 to 08-09-2025 be treated as zero period. Further the cancellation order dated 10-11-2022 be set aside. Respondent Authority is directed to restore the plot without imposition of any restoration charges.

The Revision Petition is accordingly disposed of.

Sd/-
(Alok Kumar)
Additional Chief Secretary

Letter No. 4764/ 77-4-25 /191 Appeal/24 Dated:

1. Chief Executive Officer, Noida
2. M/s GPL Infrabuild Pvt Ltd.
3. Director I.T. Invest U.P. – to upload it on Department's website
4. Guard File.

Order by

(Jaivir Singh)
Joint Secretary