

Government of UP
Industrial Development Department; Section -4

No. 5490/77-4-25 /153 Appeal/24

Lucknow: Dated 30.10.2025

M/s IT Infrastructure Park Pvt. Ltd.		Revisionist
Vs		
NOIDA Authority		Respondent

The instant revision has been filed against the impugned order dated 06-08-2024 whereby the Respondent Authority has refused to provide additional time extension to the Revisionist. Brief facts of the case are that the original allotment with respect to Plot No. 1B, admeasuring 45202.50 sq.m. was done in favour of the Revisionist vide sub lease deed dated 21-10-2009. However, they did not complete the project within the time stipulated in the lease deed. In the meanwhile, the State Legislative Assembly enacted an amendment to the UP Industrial Area Development Act (UPIADA) in 2022. As per section 7 of the said amendment the Revisionist was required to complete the construction of the project by 31-12-2024 failing which the lease deed would be presented to have been automatically revoked and the plot in question would revert back to the Respondent Authority.

Given the fact, that in this particular case Hon'ble Supreme Court had given time to the Revisionist till 18-02-2025 for construction, Respondent Authority did not act till that deadline. Given that the project was not completed even after the expiry of deadline as specified in the Hon'ble Supreme Court's order, the Respondent Authority refused to grant any further time extension to the Revisionist.

The only argument put forth on behalf of the Revisionist was that a new Unified Policy dated 16-05-2025 has been promulgated by the Respondent Authority which provides for time extension on payment of time extension charges. It is further argued that as per proviso to the section 7 of the Act, the

State Government may by general or special-order permit extension in the interest of investment and employment. It is further argued that the Unified Policy has been issued by the Respondent Authority in pursuance of the provision section 7, therefore the Revisionist would be entitled to the time extension provided for in the Unified Policy.

In response the Respondent Authority has argued that the time extension provided for in the Unified Policy applies only to those categories of allottees who have failed to complete their projects in the 3 or 5 years' time period as indicated in their respective lease deeds and this does not apply to this particular allottee, who has held the plot for over 16 years without completing the project. For this category of allottees, the provisions of section 7 of the Amended UPIDA, 2022 will apply; unless the State Government as a matter of policy by a general order permits additional time for all allottees of this category. Therefore, relief claimed by the Revisionist cannot be granted in a specific case.

I find merit in the argument of the Respondent Authority. Therefore, revision is dismissed. No occasion to interfere in the orders of the Respondent Authority.

Sd/
(Alok Kumar)
Additional Chief Secretary

Letter No. 5490/ 77-4-25 /153 Appeal/24 Dated:

1. Chief Executive Officer, Noida
2. M/s IT Infrastructure Park 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