

Government of UP

Industrial Development Department; Section -4

No. 1839/77-4-26/128Appeal/23

Lucknow: Dated 20.04.2026

M/s Royal Hindustan Ltd Revisionist

Vs

U.P. State Industrial Development Authority (UPSIDA) Respondent

The instant revision has been filed by M/s Royal Hindustan Ltd challenging the cancellation order dated 03-02-2006 (impugned order) passed by Respondent Authority.

Briefly stated, the facts of the case are as follows: the Revisionist was already an allottee of Plot No. B-5, UPSIDC Industrial area Kosikala District Mathura and had been running a detergent, soap & powder industry on the same. Since he was running for short of space, he acquired the neighbouring Plot No B-4 through transfer on 09-09-2003. The lease deed for the Plot No. B-4 (disputed plot) was executed on 19-06-2004. On the disputed plot he established one dharamkanta, constructed 6 rooms, a small park and a 10ft. height boundary wall.

In a subsequent inspection on 13-12-2005, the Junior Engineer (JE) of the Respondent Authority conducted a physical inspection and found that the plot was not used for industrial purposes; rather it was used for commercial purposes (dharamkanta), residential purposes for the staff and for storage purposes. Moreover, the constructed area being 3.27% was lower than the minimum threshold of 5% ground coverage as required under the conditions governing the lease of the disputed property. Based on the physical inspection report submitted by JE, Respondent Authority cancelled the lease deed vide its order dated 03-02-2006. This cancellation order was challenged by the Revisionist in the Court of Civil Judge (Sr. Division) Mathura. That case continued for a very long time but was dismissed due to absence of the Revisionist by the court on 29-01-2014. The Respondent Authority re-entered the said plot on 24-08-2022; whereafter the Revisionist approached the Civil Judge Sr. Division. Even in this court his case was dismissed on 20-03-2024.

Having exhausted the process of the Civil Court, the Revisionist filed a revision petition under Section 41(3) of the UP Urban Planning & Development

Act, 1973 which was decided & disposed of by my learned predecessor vide his order dt 28-10-2024 in which he found no merit in the case of the Revisionist. Thereafter, the Revisionist approached Hon'ble High Court in Writ Petition No 10867/2024 with the petition being disposed of on 21-01-2025 permitting the Revisionist to file a recall application of the cancellation order dt 03-02-2006. This recall application was filed before the Regional Manager in-charge of the Industrial Estate where the disputed plot is situated. The said recall application was disposed of by the concerned officer as being devoid of merits vide order dt 16-04-2025 and the disputed plot was advertised for e-auction.

Aggrieved by this order setting aside the recall application dated 16-04-2025, the revisionist has sought quashing of the order on the ground that in disposal of his representation dated 31-01-2025 the disposal Authority did not take into account, the evidence presented in Civil Court and that it was guided by the previous orders in violation of the express directions of Hon'ble High Court.

Heard Mr Sanjay Shanker, advocate on behalf of the Revisionist, who is present in person. Also heard Ms Anita Yadav, ACEO, UPSIDA on behalf of Respondent Authority, who is present through VC. Mr C. K. Maurya, Regional Manager Agra, UPSIDA is present in person.

It is noted that the lease was cancelled nearly 20 years ago. Since then, the Revisionist/ allottee have filed litigations in various forums and they have not been able to get the desired relief from any of the forum until now.

On behalf of the Respondent Authority, it has been consistently maintained that the Revisionist was in violation of the conditions of the lease. Instead of carrying out industrial activity for which purpose they had obtained the plot, they were carrying out commercial activity, storage activity & for residential purposes. This is apparent, even if we look at the report of the Amin dated 02-03-2006 that has been submitted in the Civil Court. It has been stated in the said report that on Plot No B-5, the Revisionist has been running a factory for the manufacture of detergent powder whereas on Plot No B-4 he is running a dharamkanta, there were 6 pakka rooms with veranda, kitchen, stairs, a park & part of the land is being used for agricultural activity. Room-1 is lab, Room-2 & 4 have been inhabited by company staff, Room No-3 is an office, Room No- 5& 6 are used as stores. So even on the basis of the said Amin report, on which much reliance has been placed on behalf of the Revisionist, it can be seen that the plot was used for purposes other than industrial use. This lends

support to the contention of the Respondent Authority that the disputed plot was not utilized for the purpose for which it was allotted to him.

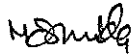
It is therefore a clear case of violation of condition of the lease deed. There are no new facts in this revision that would lend itself to reopening a case which has been settled almost 20 years ago. I do not find any infirmity in the order passed by the Respondent Authority.

Therefore, there is no merit in the revision. Hence dismissed.

Sd/-
(Alok Kumar)
Additional Chief Secretary

Letter No. 1839/77-4-25 /128 Appeal/23 Dated:as above

1. Chief Executive Officer, UPSIDA
2. M/s Royal Hindustan Ltd (Email: rajan.goel@rediffmail.com)
3. Director I.T. Invest U.P. – to upload it on department's website
4. Guard File

By Order

(Nirmesh Kumar Shukla)
Joint Secretary

