IN THE HIGH COURT OF ALLAHABAD

WRIT PETITION NO. \_\_\_\_\_\_ OF 2025

IN THE MATTER OF:

Akarshan Srivastava ................Petitioner

-VS-

State of U.P ................Respondent

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR STAY OF DEMOLITION ORDER DATED 10.07.2025

MOST RESPECTFULLY SHEWETH:

1. That the petitioner, Akarshan Srivastava, is a resident of [insert address], and is the owner of the property situated at [insert property address], which is the subject matter of the present writ petition.

2. That the petitioner has been residing in the aforementioned property for several years and has made significant investments in the construction and maintenance of the same.

3. That on 23.05.2025, the petitioner received a show cause notice issued by the State of U.P., alleging that the petitioner’s house was constructed on government land. The notice demanded an explanation as to why the property should not be demolished.

4. That the petitioner submitted a detailed response to the show cause notice, contesting the allegations and providing evidence of ownership and lawful possession of the property.

5. That despite the petitioner’s response, the State of U.P. has proceeded to issue a demolition order dated 10.07.2025, directing the petitioner to vacate the premises and demolish the structure within a stipulated time frame.

6. That the demolition order is arbitrary, illegal, and in violation of the principles of natural justice, as the petitioner was not afforded a fair opportunity to present his case before the order was issued.

7. That the petitioner has a legitimate expectation of protection of his property rights, which are guaranteed under Article 300A of the Constitution of India.

GROUNDS FOR RELIEF:

A. VIOLATION OF NATURAL JUSTICE:

The issuance of the demolition order without providing the petitioner an adequate opportunity to defend his rights constitutes a clear violation of the principles of natural justice.

B. LACK OF PROPER INVESTIGATION:

The State has failed to conduct a proper investigation into the ownership and legality of the petitioner’s property, relying solely on unverified claims regarding the land status.

C. ERRONEOUS ALLEGATIONS:

The allegations made in the show cause notice and subsequent demolition order are baseless and lack substantive evidence, as the petitioner has provided documents establishing lawful ownership.

D. IRREPARABLE HARM:

The execution of the demolition order will result in irreparable harm to the petitioner, including loss of property and livelihood, which cannot be compensated by any monetary relief.

PRAYER:

In light of the above, it is most respectfully prayed that this Hon'ble Court may be pleased to:

a) Stay the demolition order dated 10.07.2025, pending the final adjudication of the present writ petition;

b) Direct the respondent to consider the petitioner’s response to the show cause notice in a fair and just manner;

c) Pass any other order(s) that this Hon'ble Court may deem fit and proper in the interest of justice.

VERIFICATION:

I, Akarshan Srivastava, the petitioner herein, do hereby declare and verify that the contents of this petition are true and correct to the best of my knowledge and belief. No part of it is false, and nothing material has been concealed therein.

Date: [insert date]

Place: [insert place]

[Signature of Petitioner]

Akarshan Srivastava

Petitioner in Person

[Advocate’s Name]

[Advocate’s Address]

[Advocate’s Registration Number]