## IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION

## SPECIAL LEAVE PETITION (CIVIL) NO. 19301 OF 2012

GREATER NOIDA INDUSTRIAL DEVELOPMENT AUTHORITY

PETITIONER(S)

**VERSUS** 

PRAMOD & ORS.

RESPONDENT(S)

## WITH

SPECIAL LEAVE PETITION (C) No(s). 20498 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 20499 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 24407-24408 OF 2012 51SPECIAL LEAVE PETITION (C) No(s). 24409 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29701 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29702 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29703 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29704 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29705 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29706 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29707 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29708 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29709 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 29710 OF 2012

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## O R D E R

- Application for permission to file Special Leave
   Petition(s), if any, is granted.
- Delay, if any, in filing/refiling S.L.P.
   (s)/appeal(s) is condoned.
- 3. Delay, if any, in application(s) for substitution is/are condoned.
- 4. Application(s) for substitution(s), if any, is/are allowed.
- 4a. Application(s) for setting aside abatement, if
  any, is/are allowed.
- 5. Application(s) for impleadment(s)/
  intervention(s), if any, is/are rejected.

## MATTERS FILED BY THE AUTHORITY:

- 6. We have heard Shri L.Nageswara Rao, learned senior counsel for the New Oklha Industrial Development Authority/Okhla Industrial Development Authority(for short 'the authority') and other learned senior counsel and counsel for the respective parties to the *lis*.
- 7. Shri Nageswara Rao, learned senior counsel appearing for the Authority, very fairly states that the Authority is primarily aggrieved by the two directions issued by the High Court while disposing of the batch of Writ Petitions. Firstly, a direction to allot 10 per cent of the plots in favour of the agriculturists/land-loosers; and, secondly, a direction to the authority to take appropriate permission from the National Capital Regional Planning Board. To be precise, the directions issued by the High Court are as under:
  - The Greater NOIDA and its allottees are directed not to carry on development and not to the Master Plan 2021 observations and directions of the National Capital Planning Board Regional are incorporated MasterPlan 2021 to the satisfaction of the National Capital Regional Planning Board. We make it clear that this direction shall not be applicable in those cases where the development is being carried on in accordance with the earlier Master Plan of the Greater NOIDA duly approved by the National Capital Regional Planning Board.

- 6. We direct the Chief Secretary of the State to appoint officers not below the level Principal Secretary (except the officers Industrial Development Department who have dealt with the relevant files) to conduct a thorough inquiry regarding the acts of Greater Noida (a) in proceeding to implement Master Plan 2021 without approval of N.C.R.P. Board, (b) decisions taken to change the land use, (c) allotment made to the builders and (d) indiscriminate proposals acquisition of land, and thereafter the State Government shall take appropriate action in the matter."
- 8. Shri Rao, on instructions, fairly states that after disposal of the Writ Petitions, the authority has complied with the directions so issued in paragraphs 5 and 6 of the impugned judgment(s) and order(s). In view of the above, in our opinion, we need not have to answer the questions raised by the learned senior counsel in these proceedings. We leave it open for the authority to agitate the aforesaid issue(s) in an appropriate proceeding.
- 9. Insofar as allotment of 10 per cent of the plots is concerned, the High Court, in exercise of its discretionary power, has thought it fit, while sustaining the notification issued by the authority for protecting them for allotting 10 per cent of the developed plots; and, there again they have put a cap of 2,500 sq.mtrs. In fact, in the course of the order, the High Court has

taken into consideration the agreement that was entered into by the authority with the villagers of Patwari and , in some cases, the authority itself has agreed to raise 6 to 8 per cent of the developed plots the The High Court has also taken agriculturists. consideration the observations made by this Court in the of Bondu Ramaswamy Vs. Bangalore Development Authority, 2010 (7) SCC 129, where this Court has gone to the extent of directing the authorities to allot 15 per cent of the developed plots. In our view and in the peculiar facts and circumstances of these cases, since relief that is given to the respondents/ agriculturists is purely discretionary relief by the Court in order to sustain the notification issued by the authorities, we do not find any good ground to interfere with the impugned judgment(s) and order(s) passed by the instance High Court, at the of the petitioners/appellants/authorities, namely, NOIDA Greater NOIDA.

10. This order shall not be treated as a precedent in any other case.

- 11. With these observations, the Special Leave Petitions as also the Civil Appeals are disposed of, leaving the question of law raised open to be agitated in an appropriate case.
- 12. We grant three months' time from the date of receipt of a copy of the order to the authorities to pay the compensation and six months' time from the date of receipt of a copy of the order to allot 10 per cent of the developed plots to the claimants.

SPECIAL LEAVE PETITION (C) No(s). 10317 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 2639 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 38287 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 38188-38193 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 2798 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 3417 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 4645 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 4647 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 4661 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 5091 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 3242 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 4687 OF 2012

CONTEMPT PETITION NO.7 OF 2014 IN S.L.P.NO(S). 3242 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 37493 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 16339-16341 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 4383 OF 2013 SPECIAL LEAVE PETITION (C) No(s). 14781 OF 2014 SPECIAL LEAVE PETITION (C) No(s). 36644 OF 2014 SPECIAL LEAVE PETITION (C) No(s). 36141 OF 2014 SPECIAL LEAVE PETITION (C) No(s). 31675 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 6458-6460 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 20326 OF 2013 SPECIAL LEAVE PETITION(C)..CC No(s).13297-13302 OF 2013 SPECIAL LEAVE PETITION (C) No(s). 5150 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 5170 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 23750 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 23722 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 7542-7543 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 30590 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 16674 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 16695 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 16723 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 23446-23447 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 32140 OF 2012 SPECIAL LEAVE PETITION (C) No(s). 22484 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 2820 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 7017-7018 OF 2014

SPECIAL LEAVE PETITION (C) No(s). 2055 OF 2015

SPECIAL LEAVE PETITION (C) No(s). 1554 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 3776 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 6508 OF 2012

SPECIAL LEAVE PETITION (C) No(s). 6849 OF 2012

Learned counsel appearing for the respective petitioner(s), on instructions, seeks permission of this Court to withdraw their respective Special Leave Petition(s) with liberty to file appropriate review petition(s) before the High Court.

Permission sought for is granted.

The Special Leave Petition(s) is/are disposed of as withdrawn with liberty to file appropriate review petition(s) before the High Court within 30 days' time from the date of receipt of a copy of this Order.

If and when such review petition(s) is/are filed, we request the High Court to decide the same without reference to the period of limitation.

In view of the withdrawal of S.L.P.(C)No.3242 OF 2012, no orders need be passed in Contempt Petition

(c) No.7	of	2014.	Accordingly,	the	Contempt	Petition	is
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ITEM NO.5+15 COURT NO.1 SECTION XI

## SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 19301/2012

(Arising out of impugned final judgment and order dated 19/07/2011 in CMWP No. 29396/2010 passed by the High Court Of Judicature at Allahabad)

GREATER NOIDA INDUSTRIAL DEV. AUTHORITY

Petitioner(s)

## **VERSUS**

PRAMOD & ORS. Respondent(s)

WITH SLP(C) No. 20498/2012

SLP(C) No. 20499/2012

SLP(C) No. 24407-24408/2012

SLP(C) No. 24409/2012

SLP(C) No. 29701/2012

SLP(C) No. 29702/2012

SLP(C) No. 29703/2012

SLP(C) No. 29704/2012

SLP(C) No. 29705/2012

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SLP(C) No. 15635/2012
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(With appln.(s) for stay and office report)
SLP(C) No. 17287/2012
SLP(C) No. 17291/2012
(With appln.(s) for permission to file additional documents and
office report)
SLP(C) No. 17292/2012
SLP(C) No. 17295/2012
SLP(C) No. 17296/2012
SLP(C)..CC No.9538/2013
(With appln.(s) for c/delay in filing and refiling SLP and office
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SLP(C)..CC No.9605/2013

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SLP(C)..CC No.9610/2013

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SLP(C)..CC No.9614/2013

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SLP(C)..CC No.9986/2013

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SLP(C)..CC No.10191/2013

(With appln.(s) for c/delay in filing and refiling SLP and office report)

SLP(C) No. 37126/2012

(With appln.(s) for c/delay in filing SLP, permission to file additional documents and office report)

SLP(C)No.15636/2012

(With prayer for interim relief and office report)

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(With appln.(s) for c/delay in filing substitution application,
permission to file additional documents, substitution and office
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(With appln.(s) for impleading party and interim relief and office
report)
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 SLP(C) No. 33552-33556/2011
(With Interim Relief and Office Report)
 SLP(C) No. 33984-33988/2011
(With Interim Relief and Office Report)
 SLP(C) No. 36334-36340/2011
(With Interim Relief and Office Report)
 SLP(C) No. 333/2012
(With Interim Relief and Office Report)
 SLP(C) No. 1082-1083/2012
(With Interim Relief and Office Report)
 SLP(C) No. 1104/2012
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 SLP(C) No. 3776/2012
(With Interim Relief and Office Report)
 SLP(C) No. 1664-1665/2012
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 SLP(C) No. 1739/2012
(With Interim Relief and Office Report)
 SLP(C) No. 1858/2012
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exemption from filing O.T. and Interim Relief and Office Report)
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(With Interim Relief and Office Report)
 SLP(C) No. 2537/2012
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SLP(C) No. 2557/2012

(With appln.(s) for directions and Office Report)

SLP(C) No. 2603/2012

(With Interim Relief and Office Report)

SLP(C) No. 2607/2012

(With Interim Relief and Office Report)

SLP(C) No. 2612/2012

(With Interim Relief and Office Report)

SLP(C) No. 2639/2012

(With Interim Relief and Office Report)

SLP(C) No. 2798/2012

(With Interim Relief and Office Report)

SLP(C) No. 2820/2012

(With Interim Relief and Office Report)

SLP(C) No. 2873/2012

(With Interim Relief and Office Report)

SLP(C) No. 3242/2012

(With Interim Relief and Office Report)

SLP(C) No. 3298/2012

(With Interim Relief and Office Report)

SLP(C) No. 3417/2012

(With Interim Relief and Office Report)

SLP(C) No. 3473/2012

(With appln.(s) for exemption from filing O.T. and appln.(s) for intervention and Interim Relief and Office Report)

SLP(C) No. 3776/2012

(With Interim Relief and Office Report)

SLP(C) No. 3916/2012

(With Interim Relief and Office Report)

SLP(C) No. 3918/2012

(With Interim Relief and Office Report)

SLP(C) No. 4021/2012

(With Interim Relief and Office Report)

SLP(C) No. 4024/2012

(With Interim Relief and Office Report)

SLP(C) No. 4223/2012

(With Interim Relief and Office Report)

SLP(C) No. 4242/2012

(With Interim Relief and Office Report)

SLP(C) No. 4249/2012

(With Interim Relief and Office Report)

SLP(C) No. 4542/2012

(With Interim Relief and Office Report)

SLP(C) No. 4645/2012

(With Interim Relief and Office Report)

SLP(C) No. 4647/2012

(With Interim Relief and Office Report)

SLP(C) No. 4661/2012

(With Interim Relief and Office Report)

SLP(C) No. 4687/2012

(With appln.(s) for permission to file lengthy list of dates and appln.(s) for intervention and appln.(s) for directions and appln. (s) for exemption from filing O.T. and Interim Relief and Office Report)

SLP(C) No. 5091/2012

(With Interim Relief and Office Report)

SLP(C) No. 5150/2012

(With Interim Relief and Office Report)

SLP(C) No. 5170/2012

(With Interim Relief and Office Report)

SLP(C) No. 5566/2012

SLP(C) No. 5712/2012

(With Interim Relief and Office Report)

SLP(C) No. 5959/2012

(With Interim Relief and Office Report)

SLP(C) No. 6013/2012

(With Interim Relief and Office Report)

SLP(C) No. 6027/2012

(With Interim Relief and Office Report)

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(With Interim Relief and Office Report)

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(With Interim Relief and Office Report)

SLP(C) No. 6345/2012

(With Interim Relief and Office Report)

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(With Interim Relief and Office Report)

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SLP(C) No. 6458-6460/2012

SLP(C) No. 6466-6469/2012

## SLP(C) No. 6489-6494/2012

(With appln.(s) for substitution and appln.(s) for correction of name of the petitioner and appln.(s) for substitution and appln. (s) for exemption from filing O.T. and appln.(s) for setting aside an abatement and appln.(s) for c/delay in filing substitution appln. and appln.(s) for exemption from filing O.T. and appln.(s) for setting aside an abatement and appln.(s) for c/delay in filing substitution appln. and appln.(s) for exemption from filing O.T. and appln.(s) for setting aside an abatement and appln.(s) for filing substitution appln. and appln.(s) substitution and appln.(s) for exemption from filing O.T. and appln.(s) for substitution and Interim Relief and Office Report)

SLP(C) No. 6508/2012

(With Interim Relief and Office Report)

SLP(C) No. 6534-6535/2012

(With Interim Relief and Office Report)

## SLP(C) No. 6539/2012

(With appln.(s) for impleadment and appln.(s) for exemption from filing O.T. and appln.(s) for impleadment and appln.(s) for exemption from filing O.T. and appln.(s) for impleadment and appln.(s) for exemption from filing O.T. and Interim Relief and Office Report)

## SLP(C) No. 6629/2012

(With appln.(s) for exemption from filing O.T. and appln.(s) for setting aside an abatement and appln.(s) for c/delay in filing substitution appln. and appln.(s) for substitution and appln.(s) for exemption from filing O.T. and appln.(s) for setting aside an abatement and appln.(s) for c/delay in filing substitution appln. and appln.(s) for substitution and Interim Relief and Office Report)

SLP(C) No. 6731-6732/2012

(With appln.(s) for setting aside an abatement and appln.(s) for c/delay in filing substitution appln. and appln.(s) for substitution and appln.(s) for exemption from filing O.T. and appln.(s) for setting aside an abatement and appln.(s) for c/delay in filing substitution appln. and appln.(s) for substitution and appln.(s) for exemption from filing O.T. and Interim Relief and Office Report)

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SLP(C) No. 6849/2012 (With Interim Relief and Office Report)

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SLP(C) No. 7539/2012 SLP(C) No. 7540/2012 SLP(C) No. 7541/2012

SLP(C) No. 7542-7543/2012

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(With Interim Relief and Office Report)

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(With Interim Relief and Office Report)

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(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay in refiling SLP and Office Report)

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## C.A.No.2197 of 2013

SLP(C) No. 17686/2014

(With appln.(s) for permission to file additional documents, prayer for interim relief and office report)

## C.A.No.2195 of 2013

(With prayer for interim relief and office report)

## C.A.No.2198 of 2013

(With appln.(s) for discharge of advocate on record, prayer for interim relief and office report)

C.A.No.2199 of 2013

C.A.No.2225 of 2013

(With prayer for interim relief and office report)

C.A.No.2226 of 2013

(With prayer for interim relief and office report)

C.A.No.2704 of 2013

(With prayer for interim relief and office report)

C.A.No.2705 of 2013

C.A.Nos.2729-2730 of 2013

C.A.No.3022/2013

(With prayer for interim relief and office report)

C.A.No.4902 of 2014

(With apln.(s) for c/delay in filing SLP and office report)

C.A.No.4928 of 2014

(With apln.(s) for c/delay in filing SLP and office report)

Date : 03/02/2015 These petitions/appeals were called on for hearing today.

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Mr. R.Chandrachud, Adv.

Mr. Rajnish Singh, Adv.

Mr. Sansriti Pathak, Adv.

Mr. Atul Kumar, Adv.

Mr. S.K. Verma, Adv.

Mr. Sudhir Kulshrestha, Adv.

Ms. Sushma Singh, Adv.

Mr. Sarvesh Bisaria, Adv.

Mr. P.C. Sharma, Adv.

Ms. S. Usha Reddy, Adv.

- Mr. Pramod Swarup, Sr. Adv.
- Mr. Anuvrat Sharma, Adv.
- Ms. Alka Sinha, Adv.
- Mr. Braham Singh, Adv.
- Mr. P.K. Bajaj, Adv.
- Mr. N.S. Vidhudi, Adv.
- Mr. R.D. Upadhyay, Adv.
- Mr. S.B. Tripathi, Adv.
- Mr. Deepak Goel, Adv.
- Mr. S.R. Singh, Sr. Adv.
- Mr. Ankur Yadav, Adv.
- Mr. Avnish Singh, Adv.
- Mr. Arvind Kumar Shukla, Adv.
- Mr. Alok Shukla, Adv.
- Mr. Amit Shukla, Adv.
- Ms. Sweta Rani, Adv.
- Mr. Nihal Ahmad, Adv.
- Mr. Arvind Kumar Shukla, Adv.
- Mr. Alok Shukla, Adv.
- Ms. Sweta Rani, Adv.
- Mr. Navanak Shekhar Mishra, Adv.
- Mr. Mayank Singh Chauhan, Adv.
- Mr. Arvind Kumar Shukla, Adv.
- Mr. Alok Shukla, Adv.
- Mr. Amit Shukla, Adv.
- Ms. Sweta Rani, Adv.
- Mr. Rushi Khan, Adv.
- Mr. Tripurari Ray, Adv.
- Mr. Anil Kaushik, Adv.
- Mr. B.S. Billowria, Adv.
- Mr. Rajinder Singh, Adv.
- Mr. Vishnu Sharma, Adv.
- Ms. Charu Ambwani, Adv.
- Mr. Pankaj Dubey, Adv.
- Mr. Prashant Kumar, Adv.
- For M/s. A.P.& J. Chambers.
- Mr. S.R. Singh, Sr. Adv.
- Mr. Anurag Tomar, Adv.
- Mr. Rameshwar Prasad Goyal, Adv.

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Mr. Ajai K. Bhatia, Adv.

Mr. Sagar Bansal, Adv.

Mr. J.K. Bhatia, Adv.

Mr. Shiv Kumar Suri, Adv.

Mr. Shikhil Suri, Adv.

Ms. Akriti Gupta, Adv.

Mr. Satendra Kumar, Adv.

Mr. S.R. Singh, Sr. Adv.

Mr. Ankur Yadav, Adv.

Mr. Avnish Singh, Adv.

Mr. Rajesh Srivastava, Adv.

Mr. Yash Pal Dhingra, Adv.

Mr. Sonal Jain, Adv.

Mr. Sachin Naagar, Adv.

Mr. Rajiv M. Brahma, Adv.

Ms. Shashi Kiran, Adv.

Dr. Satish Chandra, Adv.

Mr. Abhiuday Chandra, Adv.

Mr. A.D.N. Rao, Adv.

Mr. Annam Venkatesh, Adv.

Mr. Sudipto Sircar, Adv.

Ms. Vaishali R., Adv.

Ms. Neelam Jain, Adv.

Mr. K.K.L. Gautam, Adv.

Mr. Devavrat Anand, Adv.

Mr. Krishan Kumar R.S., Adv.

Mr. Rajesh Kumar, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

Mr. Pardeep Gupta, Adv.

Mr. Parinav Gupta, Adv.

Ms. Mansi Ajamani, Adv.

Dr. (Mrs.) Vipin Gupta, Adv.

Mr. M.A. Chinnasamy, Adv.

Mr. V. Senthil Kumar, Adv.

Ms. Nanita Sharma, Adv.

Mr. Vivek Sharma, Adv.

Mr. Ajay Narain Mathur, Adv.

Ms. Niranjana Singh, Adv.

Mr. Ram Bhaj, Adv.

- Ms. Arti Singh, Adv.
- Ms. Namita Choudhary, Adv.
- Mr. Rabin Majumder, Adv.
- Ms. Mahua Kalra, Adv.
- Mr. Mohd. Irshad Hanif, Adv.
- Mr. Pahlad Singh Sharma, Adv.
- Mr. Ajay Kumar Singh, Adv.
- Mr. Vishal Gupta, Adv.
- Mr. Sanjay Kumar Tyagi, Adv.
- Mr. B. K. Satija, Adv.
- Mr. Avinash Kr. Lakhanpal, Adv.
- Mr. Naresh Kumar, Adv.
- Mr. Brij Bhusan, Adv.
- Mr. Rishi Malhotra, Adv.
- Mr. Ghan Shyam Vasisht, Adv.
- Ms. Jyoti Mendiratta, Adv.
- Mr. Sudarshan Rajan, Adv.
- Mr. Rakesh Kumar, Adv.
- Mr. Ajit Sharma, Adv.
- Ms. S. Usha Reddy, Adv.
- Mr. E. C. Agrawala, Adv.
- Mr. Deepak Anand, Adv.
- Mr. Subramonium Prasad, Adv.
- Ms. Mridula Ray Bharadwaj, Adv.
- Mr. P.N. Gupta, Adv.

Mr. Sumit Attri, Adv.

Mr. Abhishek Sharma, Adv.

Ms. Rekha Pandey, Adv.

Mr. Shiv Sagar Tiwari, Adv.

Mr. Santosh Kumar Tripathi, Adv.

Ms. Anu Gupta, Adv.

Mr. Pramod Dayal, Adv.

Mr. Rakesh Dahiya, Adv.

Mr. Irshad Ahmad, Adv.

Mr. Samir Ali Khan, Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. Ashok K. Mahajan, Adv.

Mr. Subhash Chandra Jain, Adv.

Mr. Rajesh Goyal, Adv.

Mr. Amit Sharma, Adv.

M/s. S.M. Jadhav & Company, Adv.

Mr. Dinesh Kumar Garg, Adv.

Mr. Ravindra Kumar, Adv.

Mrs Sarla Chandra, Adv.

Mr. Daya Krishan Sharma, Adv.

Mr. Bimlesh Kumar Singh, Adv.

Mr. Rajesh Kumar, Adv.

Mr. Nitin Kumar Thakur, Adv.

Ms. Aditi Gupta, Adv.

Mr. Aftab Ali Khan, Adv.

Dr. Kailash Chand, Adv.

Mr. Abhisth Kumar, Adv.

Mr. Devesh Kumar, Adv.

Mr. Ritesh Agrawal, Adv.

Mr. Ashwani Bhardwaj, Adv.

Mr. Venkateswara Rao Anumolu, Adv.

Ms. Liz Mathew, Adv.

Mr. Shrish Kumar Misra, Adv.

Mr. C.S.N. Mohan Rao, Adv.

Mr. Ankolekar Gurudatta, Adv.

Ms. Shomila Bakshi, Adv.

Ms. Binu Tamta, Adv.

Mr. Bhaskar Y. Kulkarni, Adv.

Mr. Dheeraj Nair, Adv.

Mr. Sanjay Kumar Visen, Adv.

Mr. Saravesh Singh Baghel, Adv.

Mr. Gunnam Venkateswara Rao, Adv.

Ms. B. Sunita Rao, Adv.

Mr. Ashok Mathur, Adv.

Mr. Surya Kant, Adv.

UPON hearing the counsel the Court made the following O R D E R

## MATTERS FILED BY THE AUTHORITY:

The Special Leave Petitions as also the Civil Appeals are disposed of, in terms of the signed order.

## S.L.P. (C) Nos.11020 of 2013 and 35143 of 2013:

De-link and list separately.

#### MATTERS FILED BY INDIVIDUALS:

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S.L.P. (C) No.30969/2011,
                              27508/2010,
                                                 33552-33556/2011,
33984-33988/2011,
                   36334-36340/2011,
                                      333/2012,
                                                   1082-1083/2012,
            1554/2012, 1664-1665/2012, 1739/2012,
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2411/2012, 2537/2012, 2557/2012, 2603/2012, 2607/2012, 2612/2012,
2873/2012, 3298/2012, 3473/2012, 3776/2012, 3916/2012, 3918/2012,
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5566/2012, 5712/2012, 5959/2012, 6013/2012, 6027/2012, 6121/2012,
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                                                       CC
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27389-27396/2012,
                   27502-27507/202,
                                        28140/2012,
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                           4383/2013,
                                           8631/2013,
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            9168/2013,
                                        12784/2013,
                                                       13017/2013,
SLP(C).../2013
                CC Nos.13297-13302, SLP(C)Nos.16722-16723/2013,
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19922/2013,
                20329/2013,
                                23276/2013,
                                                 23857-23858/2013,
23859-23860/2013, 24622-24624/2013, 26176-26177/2013, 26178/2013,
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39697-39698/2013, 39699-39700/2013, 39701/2013, 39702-39703/2013,
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6682/2014,
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10147-10149/2014, 11737/2014, 13401/2014, 14786/2014, 12443/2014,
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22716-22718/2014, 36155-36156/2014, 36436/2014, 36647-36649/2014,
                                         26260/2014,
             32391/2014,
                           23772/2014,
12433/2014,
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             29351/2014,
                           18356/2014,
                                         19521/2014,
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                 19777/2014,
                                   Con.Pet. (C) No.444/2013
19525/2014,
                                        27102/2014,
SLP(C)NO.5566/2012,
                      25279/2013,
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36390/2014,
              SLP(C).../2013
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                                              SLP(C) No.36975/2013,
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9551/2014, 10049-10050/2014, 10051/2014, 12434/2014, 12435-12436/2014, 12437/2014, 12438/2014, 12439/2014, 12441/2014, 12442/2014, Con.Pet.(C)No.21/2015 in SLP(C)No.27023/2012, SLP(C)No.28167/2014, 2057/2015, 17686/2014, 37126/2012, 15636/2012, 17088-17096/2012, C.A.No.2195/2013, 2198/2013, 2199/2013, 2225/2013,2226/2013, 2704/2013, 2705/2013, 2729-2730/2013, 3022/2013, 4902/2014 AND WITH C.A.No.4928/2014:

Arguments heard. Judgment reserved.

S.L.P. (C) No.10317/2012, 2639/2012, 38287/2012, 38188-18193/2012, 2798/2012, 3417/2012, 4645/2012, 4647/2012, 4661/2012, 5091/2012, 3242/2012, 4687/2012, 37493/2012, 16339-16341/2012, 4383/2013, 14781/2014, 36644/2014, 36141/2014, 31675/2012, 6458-6460/2012, 20326/2013, CC 13297-13302/2013, 5150/2012, 5170/2012, 23750/2012, 23722/2012, 7542-7543/2012, 30590/2012, 16674/2012, 16695/2012, 16723/2012, 23446-23447/2012, 32140/2012, 22484/2012, 2820/2012, 7017-7018/2014, 1554/12, 3776/12, 3917/12, 6508/12, 6849/12 2055/2015 and Cont.Pet. (c) No.7/2014 in SLP(C) No.3242/2012:

Disposed of as withdrawn, in terms of the signed order.

List SLP(C)Nos.30969/2011, 1104/2012, 1858/2012, 2411/2014, 2612/2012, 2820/2012, 6489-6494/2012, 19521/2014 and C.A.No.2198/2013, 2729-2730/2013 on  $4^{th}$  February, 2015.

(G.V.Ramana) (Charanjeet Kaur) (Neetu Khajuria) (Vinod Kulvi)
Court Master Court Master Sr.P.A. Asstt.Registrar
(Signed order is placed on the file)

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ITEM NO.5 COURT NO.1 SECTION XI

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S.L.P.(C) No.30969 of 2011
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S.L.P.(C) No.1104 of 2012

S.L.P.(C) No.1858 of 2012

S.L.P.(C) No.2411 of 2012

S.L.P.(C) No.2612 of 2012

S.L.P.(C) No.2820 of 2012

S.L.P.(C) No.6489-6494 of 2012

S.L.P.(C) No.19521 of 2014

C.A. No.2198 of 2013

C.A. Nos. 2729-2730 of 2013

Date : 04/02/2015 These petitions were called on for hearing today.

#### CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.K. SIKRI HON'BLE MR. JUSTICE ARUN MISHRA

#### For Appellant(s)

Mr. Amarendra Sharan, Sr. Adv.

Mr. Praveen Singh, Adv.

Mr. Bal Krishan Sharma, Adv.

Ms. Madhvi Sharma, aDv.

Mr. Sushant Sarkar, Adv.

Md. Ziauddin Ahmad, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

Mr.Brahm S.Nagar, Adv.

Mr. Ashok Mathur, Adv.

Dr. Rajeev Dhavan, sr. Adv.

Mr. Piyush Singh, Adv.

Ms. Priyanka Singh, Adv.

Mr. Aditya Parolia, Adv.

Mr. Ankur Prakash, Adv.

Mr. Yash Pal Dhingra, Adv.

Dr. Rajeev Dhavan, Sr. Adv.

Mr. K.B. Rohtagi, Adv.

Mr. Mahesh Kasana, Adv.

Ms. Aparna Rohatgi Jain, Adv.

Mr. Jitendra Mohan Sharma, Sr. Adv.

Mr. Nitin Singh, Adv.

Mr. Ajit Sharma, Adv.

Dr. Sandeep Singh, Adv.

Mr. Sameer Singh, Adv.

Mr. Akshat Sharma, Adv.

Mr. Pulkit, Adv.

Mr. Sanchit Garga, Adv.

Mr. Aldanish Rein, Adv.

Mr. P.S. Sharma, Adv.

Mr.Rakesh K.Khanna, Sr.Adv.

Mr. K.S. Rana, Adv.

Mr.Y.D.Nagar, Adv.

Mr.Anirudh Tanwar, Adv.

Ms.Shefali Jain, Adv.

Mr. Surya Kant, Adv.

Mr. Mahabir Singh, Sr. Adv.

Dr. Rajeev Sharma, Adv.

Mr. Pankaj Dubey, Adv.

Mr. Rovin Babli, Adv.

Ms. Risu Mishra, Adv.

Mr. Vijay Hansaria, Sr. Adv.

Mr. Vikalp Mudgal, Adv.

Mr. Ashok Kumar Sharma, Adv.

Mr. Nikhilesh Bhargava, adv.

Mr.S.C.Maheshwari, Sr.Adv.

Ms.Sandhya Goswami, Adv.

Mr.M.P.S.Tomar, Adv.

Mr.Sanjay Krishna, Adv.

Ms.Nihar B., Adv.

Mr.Jabar Singh, Adv.

## For Respondent(s) Mr.Ravindra Kumar, Adv.

Ms.Reena Singh, Adv.

Mr.Rakesh Dwivedi, Sr.Adv.

Mr.R.Chandrachud, Adv.

Mr.Rajnish Singh, Adv.

Ms.Sansriti Pathak, Adv.

Mr. Utkarsh Kulvi, Adv.

Mr. Pramod Swarup, Sr. Adv.

Ms. Alka Sinha, Adv.

Mr. Anuvrat Sharma, Adv.

Mr. G.V. Rao, Adv.

Mr. Himanshu Tyaqi, adv.

Ms. Asha G. Nair, Adv.

Mr.D.N.Goburdhun, Adv.

Mr.Prabal Bagchi, Adv.

## ORDER

## S.L.P.(C) No.2820 of 2012:

Learned counsel appearing for the respective petitioner(s), on instructions, seeks permission of this Court to

withdraw their respective Special Leave Petition(s) with liberty to file appropriate review petition(s) before the High Court.

Permission sought for is granted.

The Special Leave Petition(s) is/are disposed of as withdrawn with liberty to file appropriate review petition(s) before the High Court within 30 days' time from the date of receipt of a copy of this Order.

If and when such review petition(s) is/are filed, we request the High Court to decide the same without reference to the period of limitation.

## I.A.No.3 of 2015 in S.L.P. (C) NO.1858/2012:

Dr.Rajeev Dhavan, learned senior counsel for the applicant(s), on instructions, seeks permission of this Court to withdraw the I.A.No.3 of 2015 with liberty to agitate his grievance before an appropriate forum for appropriate relief(s).

Permission sought for is granted.

I.A.No.3 of 2015 is disposed of as withdrawn with liberty to agitate his grievance before an appropriate forum for appropriate relief(s).

Taken on board S.L.P. (C) No. 2875 of 2014.

Arguments Heard.

(G.V.Ramana) (Charanjeet Kaur) (Neetu Khajuria) (Vinod Kulvi) Court Master Court Master Sr.P.A. Asstt.Registrar

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ITEM NO.1 COURT NO.1 SECTION XI

- S.L.P.(C) No.30969 of 2011
- S.L.P.(C) No.1104 of 2012
- S.L.P.(C) No.1858 of 2012
- S.L.P.(C) No.2411 of 2012
- S.L.P.(C) No.2612 of 2012
- S.L.P.(C) No.6489-6494 of 2012

S.L.P.(C) No.19521 of 2014

C.A. No.2198 of 2013

C.A. Nos. 2729-2730 of 2013

Date : 05/02/2015 These petitions/appeals were called on for hearing today.

#### CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.K. SIKRI HON'BLE MR. JUSTICE ARUN MISHRA

## For Appellant(s)

Mr. Amarendra Sharan, Sr. Adv.

Mr. Praveen Singh, Adv.

Mr. Bal Krishan Sharma, Adv.

Ms. Madhvi Sharma, aDv.

Mr. Sushant Sarkar, Adv.

Md. Ziauddin Ahmad, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

Mr.Brahm S.Nagar, Adv.

Mr. Ashok Mathur, Adv.

Dr. Rajeev Dhavan, sr. Adv.

Mr. Piyush Singh, Adv.

Ms. Priyanka Singh, Adv.

Mr. Aditya Parolia, Adv.

Mr. Ankur Prakash, Adv.

Mr. Yash Pal Dhingra, Adv.

Dr. Rajeev Dhavan, Sr. Adv.

Mr. K.B. Rohtagi, Adv.

Mr. Mahesh Kasana, Adv.

Ms. Aparna Rohatgi Jain, Adv.

Mr. Jitendra Mohan Sharma, Sr. Adv.

Mr. Nitin Singh, Adv.

Mr. Ajit Sharma, Adv.

Dr. Sandeep Singh, Adv.

Mr. Sameer Singh, Adv.

Mr. Akshat Sharma, Adv.

Mr. Pulkit, Adv.

Mr. Sanchit Garga, Adv.

Mr. Aldanish Rein, Adv.

Mr. P.S. Sharma, Adv.

Mr.Rakesh K.Khanna, Sr.Adv.

Mr. K.S. Rana, Adv.

Mr.Anil Kumar Sharma, Adv.

Mr.Aditya Sharma, Adv.

Mr. Surya Kant, Adv.

Mr. Mahabir Singh, Sr. Adv.

Dr. Rajeev Sharma, Adv.

Mr. Pankaj Dubey, Adv.

Mr. Rovin Babli, Adv.

Ms. Risu Mishra, Adv.

Mr. Vijay Hansaria, Sr. Adv.

Mr. Vikalp Mudgal, Adv.

Mr. Ashok Kumar Sharma, Adv.

Mr. Nikhilesh Bhargava, adv.

Mr.Mahabir Singh, Sr.Adv.

Dr.B.K.Jauhari, Adv.

Ms.Purnima Jauhari, Adv.

Mr.Suresh Sharma, Adv.

## For Respondent(s) Mr.Ravindra Kumar, Adv.

Ms.Reena Singh, Adv.

Mr.Rakesh Dwivedi, Sr.Adv.

Mr.R.Chandrachud, Adv.

Mr.Rajnish Singh, Adv.

Ms.Sansriti Pathak, Adv.

Mr. Utkarsh Kulvi, Adv.

Mr. Pramod Swarup, Sr. Adv.

Ms. Alka Sinha, Adv.

Mr. Anuvrat Sharma, Adv.

Mr. G.V. Rao, Adv.

Mr. Himanshu Tyagi, adv.

Ms. Asha G. Nair, Adv.

Mr.D.N.Goburdhun, Adv.

Mr.Prabal Bagchi, Adv.

Mr. Vimal Chandra S. Dave, Adv.

Ms.Neelam Kalsi, Adv.

## ORDER

## <u>CIVIL APPEAL NOS.2729-2730 OF 2013:</u>

The Civil Appeals are disposed of, in terms of the signed order.

#### Arguments heard.

(G.V.Ramana) (Charanjeet Kaur) (Neetu Khajuria) (Vinod Kulvi)
Court Master Court Master Sr.P.A. Asstt.Registrar
(Signed order in C.A.Nos.2729-2730 of 2013 is placed on the file)

\_\_\_\_\_

ITEM NO.4

COURT NO.1

SECTION XI

S.L.P.(C) No.30969 of 2011

S.L.P.(C) No.1104 of 2012

S.L.P.(C) No.1858 of 2012

S.L.P. (C) No.2411 of 2012

S.L.P.(C) No.2612 of 2012

S.L.P.(C) No.6489-6494 of 2012

S.L.P.(C) No.19521 of 2014

C.A. No.2198 of 2013

Date : 10/02/2015 These petitions/appeals were called on for hearing today.

## CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.K. SIKRI HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s)

Mr. Amarendra Sharan, Sr. Adv.

Mr. Praveen Kumar Singh, Adv.

Ms. Madhvi Sharma, aDv.

Mr. Bal Krishan Sharma, Adv.

Mr. Sushant Kumar Sarkar, Adv.

Md. Ziauddin Ahmad, Adv.

Mr. Rajiv Shankar Dvivedi, Adv.

Mr.Aditya Vikram, Adv.

Ms.Aditi Gupta, Adv.

Mr.Brahm S.Nagar, Adv.

Mr. Ashok Mathur, Adv.

Dr.Rajeev Dhavan, Sr.Adv.

Mr.Sudhir Nagar, Adv.

Mr.Mohit Singh, Adv.

Mr.Ankur Prakash, Adv.

Ms.Piyush Singh, Adv.

Mr.Aditya P., Adv.

Ms.Priyanka Singh, Adv.

Mr. Yash Pal Dhingra, Adv.

Dr. Rajeev Dhavan, Sr. Adv.

Mr.Amit Gupta, Adv.

Mr.Sarwa Mitter, Adv.

For M/s.Mitter & Mitter Co., Advs.

Mr. K.B. Rohtagi, Adv.

Mr. Mahesh Kasana, Adv.

Ms. Aparna Rohatgi Jain, Adv.

Mr. Jitendra Mohan Sharma, Sr. Adv.

Mr. Nitin Singh, Adv.

Mr. Ajit Sharma, Adv.

Dr. Sandeep Singh, Adv.

Mr. Sameer Singh, Adv.

Mr. Akshat Sharma, Adv.

Mr. Pulkit, Adv.

Mr. Sanchit Garga, Adv.

Mr. Aldanish Rein, Adv.

Mr. P.S. Sharma, Adv.

Mr.Rakesh K.Khanna, Sr.Adv.

Mr. Deepak Goel, Adv.

Mr.Anirudh Tanwar, Adv.

Ms.Shefali Jain, Adv.

Mr.Rakesh K.Khanna, Sr.Adv.

Mr.Y.D.Nagar, Adv.

Mr.Anirudh Tanwar, Adv.

Ms.Shefali Jain, Adv.

Mr. Surya Kant, Adv.

Mr. Mahabir Singh, Sr. Adv.

Dr. Rajeev Sharma, Adv.

Mr. Pankaj Dubey, Adv.

Mr. Rovin Babli, Adv.

Ms. Risu Mishra, Adv.

Mr.Rovin Babu, Adv.

Dr.Rajeev Sharma, Adv.

Mr.Raghuvir Sharma, Adv.

Mr.Dharmendra Sharma, Adv.

Dr.Rajeev Sharma, Adv.

Mr.Bhanwar Pal Singh Jadon, Adv.

Mr.Karmendra Pratap Singh, Adv.

Mr. Vijay Hansaria, Sr. Adv.

Mr. Vikalp Mudgal, Adv.

Mr. Ashok Kumar Sharma, Adv.

Mr. Nikhilesh Bhargava, adv.

Dr.Rajeev Sharma, Adv.

Mr.Pankaj Dubey, Adv.

Ms.Rishu Mishra, Adv.

Mr.Manish Tiwari, Adv.

Dr.Surat Singh, Adv.

Mr.Sudhanshu Palo, Adv.

Mr.Brajesh Kr.Singh, Adv.

Mr.Arun Kr.Panwar, Adv.

Mr.Ashok Sharma, Adv.

Mr.Nikhilesh Bhargava, Adv.

Ms.Anjali Bhargava, Adv.

## For Respondent(s) Mr.Ravindra Kumar, Adv.

Ms.Reena Singh, Adv.

Mr.Rakesh Dwivedi, Sr.Adv.

Mr.R.Chandrachud, Adv.

Mr.Rajnish Singh, Adv.

Ms.Sansriti Pathak, Adv.

Mr. Utkarsh Kulvi, Adv.

Mr. Pramod Swarup, Sr. Adv.

Ms. Alka Sinha, Adv.

Mr. Anuvrat Sharma, Adv.

Mr. G.V. Rao, Adv.

Mr. Himanshu Tyagi, adv.

Ms. Asha G. Nair, Adv.

## For Intervenor

Mr.Pallav Shishodia, Sr.Adv.

Mr.Adarsh Aggarwal, Adv.

Mr.Wazih S., Adv.

Mr.D.N.Guburdhun, Adv.

Mr.Prabal Bagchi, Adv.

## ORDER

Arguments concluded. Judgment reserved.

(G.V.Ramana) (Charanjeet Kaur) (Neetu Khajuria) (Vinod Kulvi) Court Master Court Master Sr.P.A. Asstt.Registrar

# IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION

## CIVIL APPEAL NOS.2729-2730 OF 2013

M/S.GANGA CERAMICS PVT. LTD.

...APPELLANT(S)

#### **VERSUS**

STATE OF U.P. AND ORS.

... RESPONDENT (S)

## ORDER

- 1. These appeals are directed against the final judgment and order passed by the High Court of Judicature at Allahabad in C.M.W.P. No.36918 of 2008 and C.M.W.P. No.255773 of 2009, dated 04.09.2009.
- 2. Shri Mahabir Singh, learned senior counsel for the appellant, at the time of hearing of these appeals, would restrict his submissions to a smaller issue, namely that the representation dated 26.06.2010 filed by the appellant-herein pursuant to the public notice issued by the respondent-authority has not been considered despite of a long lapse of time. Therefore the learned senior counsel for the appellant would make a request to this

Court to direct the respondent-authorities to consider the said representation, in accordance with law.

- 3. Shri Ravindra Kumar, learned counsel for the respondent-authorities would submit that the said representation so filed by the appellant, if not considered already, would be considered in four months' time.
- 4. Taking into consideration the submission so made by learned counsel for the respondent-authorities, we direct the respondent-authorities to consider the said representation filed by the appellant in accordance with law, as expeditiously as possible, at any rate, within four months' time from today.
- 5. Till the said representation is duly considered by the respondent-authorities in accordance with law, the status quo, ordered by this Court, by order dated 05.07.2010, shall continue.
- 6. We clarify that during the pendency of the consideration of the said representation, the parties shall not alienate, transfer and create any third party

rights	with	respect	to	the	subject	matter	of	these
appeals								

7. In view of the above, we dispose of these Civil Appeals.

Ordered accordingly.

(H.L. DATTU)	
J. (A.K. SIKRI)	
J. (ARUN MISHRA)	

NEW DELHI; FEBRUARY 05, 2015