

ITEM NO.1708

COURT NO.3

SECTION XI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

IA 166595/2022,166598/2022, in Petition(s) for Special Leave to Appeal (C) No(s). 8294/2020

M/S PIRAMID PROMART &amp; ANR.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH &amp; ORS.

Respondent(s)

(IA No. 166598/2022 - EXEMPTION FROM FILING O.T.  
IA No. 166595/2022 - INTERVENTION/IMPLEADMENT)

Date : 06-11-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.V.N. BHATTI  
[IN CHAMBER]

For Petitioner(s) Mr. S.R.singh, Sr. Adv.  
Mr. Sushant Kumar Yadav, Adv.  
Mr. Gaurav Lomes, Adv.  
Mr. Prithvi Yadav, Adv.  
Mr. Ankur Yadav, AOR  
Ms. Ananya Yadav, Adv.  
Mr. Anurag Singh, Adv.

For Respondent(s) Mr. Tanmaya Agarwal, AOR  
Mr. Wrick Chatterjee, Adv.  
Mr. Divyanshu Sahay, Adv.  
Mrs. Aditi Agarwal, Adv.  
Mr. Vinayak Mohan, Adv.

Mr. Vivek Singh, Adv.  
Ms. Asha Gopalan Nair, AOR

Mr. Venkita Subramoniam T.R, AOR  
Mr. Rahat Bansal, Adv.  
Mr. Likhichand Bonsle, Adv.  
Mr. Arnav Tiwari, Adv.

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

IA No. 166595/2022 for impleadment is at the instance of the

petitioner-M/S PIRAMID PROMART & ANR.

I have perused the order under appeal and noted the genesis for the present petition. I have heard the learned counsel appearing for the parties on the point whether the application filed for impleadment ought to be allowed.

Prima facie, this Court is of the view that the subject matter of Special Leave Petition is confined to the limited extent, i.e., whether the request of M/S PIRAMID PROMART AND ANOTHER to be impleaded as one of the respondents in an appeal filed by the State in a land ceiling proceedings merit consideration or not.

As the principal prayer in SLP is to come on record in the appeal filed by the State, I am of the view that the application at the instance of the M/S PIRAMID PROMART AND ANOTHER- as party respondent no.7 in SLP, even from the liberal understanding of proper and necessary party, ought not to be allowed. The proposed party is arrayed as if the parties in the appeal filed before the Land Commissioner and for deciding the prayer of the petitioner in SLP, the presence of M/s PIRAMID PROMART AND ANOTHER is not necessary.

However, a legitimate objection is raised by the learned counsel appearing for the proposed party, viz., that the proposed party has a few objections against the claim/case of the petitioner in the SLP and those objections are left open for consideration as and when the petitioner in SLP gets impleaded in the pending appeal before the Commissioner. The above statement is placed on record

by preserving the objections of M/s PIRAMID PROMART AND ANOTHER available in law.

IA No. 166595/2022 for impleadment stands disposed of.

(INDU MARWAH)  
COURT MASTER (SH)

(MAMTA RAWAT)  
COURT MASTER (NSH)