

ITEM NO.37

COURT NO.8

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 6597/2017

(Arising out of impugned final judgment and order dated 14-09-2016 in WPC No. 39983/2013 passed by the High Court Of Judicature At Allahabad)

NAYAN TARA

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(MATTER FOR LISTING BEFORE THE HON'BLE COURT AS REPORT OF THE ADVOCATE COMMISSIONER HAS BEEN RECEIVED.)

I.A. No. 67416/2017-EXEMPTION FROM FILING O.T.

IA No. 46502/2018-INTERVENTION/IMPLEADMENT

IA No. 106080/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS

IA NO. 68059/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS.

Date : 26-11-2018 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. K. S. Rana, AOR

For Respondent(s) Mr. Abhishek Khare, AOR
Mr. Abhijit Banerjee, Adv.

Mr. Ravindra Kumar, AOR

Ms. Aishwarya Bhati, AAG
Mrs. Rachna Gupta, AOR

For Applicant(s) Mr. Pratyush Miglani, Adv.
Mr. Sanjay Sarin, Adv.
Mr. Nikhil Varma, Adv.
Mr. Obhirup Ghosh, Adv.
Mr. Mohit Paul, AOR

Mr. Gaurav Agrawal, AOR

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

By our order dated 10.09.2018, we appointed Shri Gaurav Agrawal, as Advocate Commissioner, to undertake a survey of the property in question. He has since submitted a Report dated 13.11.2018, which was opened in Court and taken on record.

The last paragraph of the Report reads as under:-

"Hence, the Additional District Magistrate, Dadri, may be directed for survey/identification of Survey Nos. 135 and 138 in Village Chhalera Khadar, Tahsil Dadri, District Gautam Budh Nagar. It is submitted that the revenue team of the authority, [Tahsildar, Lekhpal, etc.] would be available on the date when the Additional District Magistrate conducts survey/demarcation/identification."

We are of the view that both the sides may approach the Additional District Magistrate, District Gautam Budh Nagar, within a period of 2 weeks from today, who may give a brief hearing to both parties, and, thereafter, is directed to identify Survey Nos. 135 and 138 in Village Chhalera Khadar, Tahsil Dadri, to demarcate the same.

The Additional District Magistrate, Gautam Budh Nagar, is directed to submit a Report afresh within a period of 6 weeks.

We thank Mr. Gaurav Agrawal for his efforts in this behalf.

List after receipt of the Report of the Additional District Magistrate, District Gautam Budh Nagar, Uttar Pradesh.

(MANAV SHARMA)
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)
ASSISTANT REGISTRAR