

OUT TODAY

ITEM NO.31 Court 3 (Video Conferencing) SECTION X

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 17736/2020

(Arising out of impugned final judgment and order dated 13-12-2019 in WPIL No. 160/2019 passed by the High Court Of Uttarakhand At Nainital)

MUNI CHIDANAND

Petitioner(s)

VERSUS

ARCHANA SHUKLA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.82482/2020-CONDONATION OF DELAY IN FILING and IA No.82486/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.82491/2020-EXEMPTION FROM FILING O.T. and IA No.82483/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.82489/2020-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.82530/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 28-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. Vikas Singh, Sr. Adv.
Mr. Simranjeet Singh, Adv.
Mr. Kapish Seth, Adv.
Ms. Deepika Kalia, Adv.
Ms. Rudrakashi Rao, Adv.
Mr. Gautam Talukdar, AOR

For Respondent(s)

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

Delay condoned.

We decline to interfere in this Special Leave

Petition.

However, in light of the impugned decision as the competent authority has already passed a formal order after giving notice to the petitioner, it will be open to the petitioner to agitate all aspects of the matter before the High Court which be considered on its own merits and in accordance with law uninfluenced by the observation made in the impugned order dated 13.12.2019.

In other words, all contentions available to the petitioner on merits are left open, to be decided by the High Court.

Liberty is also granted to the petitioner to approach the High Court for grant of interim relief/protection, which request can be considered by the High Court appropriately.

We may not be understood to have expressed any opinion either way on the merits of the controversy pending before the High Court.

The Special Leave Petition is disposed of accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

