

ITEM NO.4

COURT NO.9

SECTION X

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

Petition(s) for Special Leave to Appeal (C) No(s). 21441/2017

(Arising out of impugned final judgment and order dated 18-07-2017 in ON No. 264/2017 passed by the High Court Of Uttarakhand At Nainital)

SHAMBHU BARA TRUST &amp; ORS.

Petitioner(s)

VERSUS

SUNIL GUPTA &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.76715/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.76716/2017-EXEMPTION FROM FILING O.T. and IA No.76713/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

WITH

SLP(C) No. 21264/2017 (X)

(FOR ADMISSION and I.R. and IA No.75578/2017-EXEMPTION FROM FILING O.T. and IA No.75576/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 05-09-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

Ms. Madhavi Divan, Adv.  
Mr. Manan Verma, Adv.  
Ms. Lekha G.v., AOR

Mr. Krishnan Venugopal, Sr.Adv.  
Ms. Kanika Saran, Adv.  
Ms. Diksha Rai, AOR

For Respondent(s)

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

We are not inclined to interfere with the impugned order passed by the High Court.

However, after hearing learned counsel appearing on behalf of the petitioners, in both the special leave petitions, and after perusing the impugned order, we are convinced that some of the observations made by the High Court in the impugned order are unnecessary and unwarranted.

Accordingly, we dispose of these special leave petitions clarifying that any observations made in the impugned order shall not come in the way of the petitioners in adjudicating the matters, which are pending before the District Judge, Dehradun. The District Judge, Dehradun is at liberty to consider the matters uninfluenced by any of the observations made by the High Court in the impugned order.

The parties are at liberty to raise all issues before the District Judge, Dehradun.

As a sequel to the above, all the pending applications also stand disposed of.

(SUKHBIR PAUL KAUR)  
AR CUM PS

(S. SIVARAMAKRISHNA)  
ASST. REGISTRAR