

ITEM NO.49 + 52

COURT NO.6

SECTION II

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 (Crl.) No(s).
6861-6865/2017

(Arising out of impugned final judgment and order dated 02-08-2017 in SBCRR No. 623/2016, SBCRR No. 971/2012, SBCRR No. 932/2012, SBCRR No. 928/2012 & SBCRR No. 927/2012 passed by the High Court Of Judicature for Rajasthan at Jaipur)

VIVEK KATHIYAR ETC.ETC.

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ANR.

Respondent(s)

(FOR EXEMPTION FROM FILING O.T. ON IA 89145/2017)

WITH

SLP(CRL). NOS. 7170-7171/2017

Date : 22-09-2017 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Sidharth Luthra, Sr. Adv.
Ms. Babita Yadav, Adv.
Mr. Shubhashis Rasik Soren, Adv.
Mr. Bhakti Vardhan Singh, AOR

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Uday Gupta, Adv.
Ms. Shivani Lal, Adv.
Mr. Hiren Dasan, Adv.
Mr. M.K. Tripathi, Adv.
Mr. Chand Qureshi, Adv.
Mrs. Sarla Chandra, AOR

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gaurav Goel, AOR
Mr. Mohit Bansal, Adv.

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

SLP(CRL). NOS. 6861-6865/2017

It is stated by Mr. Sidharth Luthra, learned senior counsel

for the petitioners that all the petitioners shall vacate the premises by 31st January, 2018. An affidavit of undertaking shall be filed to this effect within two weeks. In case premises are vacated by the date mentioned above, they will not be treated as convicted. However, in case, the premises are not vacated as undertaken, not only it will amount to violating the undertaking to this Court, entailing the consequences of Contempt of the Court, but the special leave petitions shall also be treated as dismissed, in that event, thereby sustaining the order of the High Court.

The special leave petitions are disposed of accordingly.

Pending application(s), if any, stands disposed of accordingly.

SLP (CRL). NOS. 7170-7171/2017

It is stated by Mr. Neeraj Kishan Kaul, learned senior counsel for the petitioners that all the petitioners shall vacate the premises by 31st January, 2018. An affidavit of undertaking shall be filed to this effect within two weeks. The petitioners were taken into custody on 07.09.2017 pursuant to the order passed by the High Court. They shall be released forthwith subject to the condition that they furnish the aforesaid undertaking within two weeks. It is made clear that if the aforesaid undertaking is not given they shall be again taken into custody.

In case premises are vacated by the date mentioned above, they will not be treated as convicted. However, in case, the premises are not vacated as undertaken, not only it will amount to violating the

undertaking to this Court, entailing the consequences of Contempt of the Court, but the special leave petitions shall also be treated as dismissed, in that event, thereby sustaining the order of the High Court.

The special leave petitions are disposed of accordingly.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI KUMAR)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER