

OUT TODAY

ITEM NO.1 Court 2 (Video Conferencing) 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). 16118/2020

(Arising out of impugned final judgment and order dated 24-12-2020 in WPPIL No. 53/2017 passed by the High Court Of Uttarakhand At Nainital)

PRADEEP BATRA & ORS. Petitioner(s)

VERSUS

GAURAV KUMAR PUNDIR & ORS. Respondent(s)

IA No. 3/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 137172/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENTIA No. 2/2021 - EXEMPTION FROM FILING O.T.
IA No. 137171/2020 - EXEMPTION FROM FILING O.T.
IA No. 1/2021 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 137170/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 02-01-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE B.R. GAVAIFor Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Gagan Gupta, AOR
Mr. Lalit Gupta, Adv.
Mr. Neeraj Sharma, Adv.

For Respondent(s)

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

We have heard Mr. Mukul Rohatgi, learned senior counsel, for the petitioners. On instructions, he submits that the petitioners will approach the High Court to persuade the High Court to allow the petitioners to vacate the entire complex in the first place and at the same time reseal the building/premises in question and offer the same for

inspection to the competent authority for identifying the excess unauthorized portion in the building to the extent of about 4,000 sq.ft., which can be demolished/removed by the petitioners themselves within one week from such identification, failing which the authority would be free to forthwith demolish the same by taking help of local police force, if necessary.

The petitioners are granted two weeks' time from today to approach the High Court to move a formal application supported by affidavit indicating this position.

It will be open to the High Court to accept the suggestion/proposal as made by the petitioners or to reject the same.

We are not expressing any opinion either way on the merits of the said statement.

The parties shall maintain *status quo*, as of today, for a period of two weeks from today or till such order to be passed by the High Court, whichever is earlier.

The special leave petition and pending applications are disposed of in the above terms.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

Copy of this order be given dasti.