

ITEM NO.2

COURT NO.2

SECTION XI

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).2530/2020

(Arising out of impugned final judgment and order dated 18-01-2020 in WC No.317/2020 passed by the High Court of Judicature at Allahabad)

JNANAMANDAL LIMITED & ANR.

Petitioner(s)

VERSUS

KAMDHENU APARTMENT RESIDENTS SOCIETY & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.14626/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.14625/2020-EXEMPTION FROM FILING O.T.)

Date : 29-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr.Shohit Chaudhry, AOR
Ms. Appabrita Saha, Adv.

For Respondent(s)

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

This petition is directed against interim order dated 18.01.2020 passed by the High Court of Judicature at Allahabad in Writ-C No.317/2020 whereby the High Court directed to list the above-mentioned petition on 03.02.2020.

It is the case of the petitioner that respondent No.1 herein - Kamdhenu Apartment Residents Society filed the writ petition before the High Court seeking a direction to Varanasi Development Authority (respondent No.4 herein) to demolish the property constructed by the petitioner.

Before the High Court, it was stated by the Varanasi Development Authority that the notices have already been sent and the demolition is fixed for 31.01.2020. Hence, the High Court listed the matter on 03.02.2020.

Through the instant petition, the petitioner is seeking a stay of the demolition and the impugned writ proceedings as Review Petition No.2246/2019 is pending consideration before this Court against the dismissal of earlier SLP(C)No.5906/2018.

Having heard learned counsel for the petitioner and perusing the material placed before us, we see no reason to interfere with the impugned interim order passed by the High Court in exercise of our jurisdiction under Article 136 of the Constitution.

The special leave petition is accordingly dismissed.

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

However, keeping in view the fact that the writ petition filed by respondent No.1 - Kamdhenu Apartment Residents Society is pending before the High Court, we grant liberty to the petitioners to raise all legally permissible objections before that Court.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RAJ RANI NEGI)
ASSISTANT REGISTRAR