

ITEM NO.14 COURT NO.5 SECTION XI OUT TODAY

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.38196/2019

(Arising out of impugned final judgment and order dated 20-08-2019 in WC No.1216/2019 passed by the High Court Of Judicature At Allahabad)

M/S. SPACEBOUND WEBLABS PRIVATE LIMITED

Petitioner(s)

VERSUS

SUSHIL CHANDRA SRIVASTAVA & ORS.

Respondent(s)

(IA No.163837/2019 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.163838/2019 - FOR EXEMPTION FROM FILING O.T.; IA No.163835/2019 - FOR PERMISSION TO FILE PETITION; and, IA No.163836/2019 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 04-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Ayush Negi, Adv.
Mr. Himanshu Tyagi, AOR

For Respondent(s)

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

Permission to file the petition is granted.

Mr. Ayuesh Negi, learned counsel appearing for the petitioner invited our attention to order dated 14.10.2019 passed by this Court in SLP (Civil) Diary No.34878 of 2019, by which the direction no.(iii) in the operative portion of the judgment presently under appeal was directed to be stayed insofar as the petitioner in that matter was concerned.

It is submitted that the petitioner Company applied for statutory permission for conducting/organizing music festival 'SUNBURN AREA' at Unitech Golf & Country Club, Sector 96, NOIDA, where international disc jockeys have been invited to play their music from 5.00 p.m. to 10.00 p.m.; an appropriate application seeking permission was filed with the District Magistrate, NOIDA; but the application however came to be dismissed by the District Magistrate, NOIDA relying purely on said direction no.(iii) issued by the High Court.

Issue notice.

Considering the facts on record, we stay the operation of direction no.(iii) in the operative portion of the impugned judgment insofar as the present petitioner is concerned.

The petitioner is at liberty to approach the District Magistrate afresh and if any such application is preferred, the same shall be considered purely on merits of the matter and in accordance with law.

List the matter along with SLP (Civil) Diary No.34878 of 2019.

Order be given dasti.

(MUKESH NASA)
COURT MASTER

(NISHA TRIPATHI)
BRANCH OFFICER