

ITEM NO.7

COURT NO.6

SECTION XI

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.37221/2019

(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)

HAPUR D.J. SOUND OWNERS ASSOCIATION (REG.) & ORS. Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(IA No.177535/2019 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.177536/2019 - FOR EXEMPTION FROM FILING O.T.; IA No.177533/2019 - FOR PERMISSION TO FILE PETITION; and, IA No.177534/2019 - FOR CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)

Date : 29-11-2019 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. Amit Wadhwa, Adv.
 Mr. Amit Kumar Srivastava, Adv.
 Mr. Sanjay Kumar Hadala, Adv.
 Mr. Raunak Parekh, Adv.
 Mr. Sanjeev Kumar, Adv.
 Mr. Sanjeev Yadav, Adv.
 Dr. Vinod Kumar Tewari, AOR

For Respondent(s)

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

Learned counsel for the petitioner invited our attention to the order dated 14.10.2019 passed by this Court in SLP (Civil) Diary No.34878 of 2019.

"Contention of the learned senior counsel appearing for the petitioners is that general directions have been issued in the writ petition filed with regard to their grievances in the locality. It is contended that such general directions have been issued in the writ petition, which petition was not in the nature of a public interest litigation. Learned senior counsel submits that the petitioners herein, though not parties in the writ petition before the High Court, would also be affected by the general directions so issued.

In view of the above, application for permission to file the special leave petition is allowed.

Issue notice.

Considering the facts of the case, the direction no.(III) of the operative portion of the judgment of the High Court dated 20.08.2019 shall remain stayed insofar as the petitioners are concerned."

Permission is granted to file the special leave petition.

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 petitioners are concerned.

The petitioners are at liberty to approach the District Magistrate 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.

(MUKESH NASA)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER