

ITEM NO.24+53

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.40899/2019

(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)

ARTIST AND SOUND ASSOCIATION UTTAR PRADESH & ORS. Petitioner(s)

VERSUS

SUSHIL CHANDRA SRIVASTAVA & ORS.

Respondent(s)

(FOR ADMISSION and I.R.; IA No.179611/2019 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.179612/2019 - FOR EXEMPTION FROM FILING O.T.; IA No.179609/2019 - FOR PERMISSION TO FILE PETITION; and, IA No.179610/2019 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No.40116/2019 (XI)

(FOR ADMISSION; IA No.185626/2019 - FOR EXEMPTION FROM FILING O.T.; and, IA No.185625/2019 - FOR PERMISSION TO FILE PETITION)

Diary No.43769/2019

(FOR ADMISSION and I.R.; IA No.187627/2019 - FOR CONDONATION OF DELAY IN FILING; IA No.187628/2019 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.187629/2019 - FOR EXEMPTION FROM FILING O.T.; IA No.187625/2019 - FOR PERMISSION TO FILE PETITION; and, IA No.187626/2019 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-12-2019 These petitions were called on for hearing today.

CORAM :

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

Counsel for the Parties:

Mr. Vivek Sarin, Adv.
Mr. Ashok Srivastava, Adv.
Mr. Kapil Gupta, Adv.
Mr. Anshuman Sharma, Adv.
Mr. Vibhu Tiwari, Adv.
Mr. Satish C. Kaushik, Adv.
Mr. Aakarshan Aditya, AOR

Mr. Rakesh Khanna, Sr. Adv.
 Mr. Pramod Kumar, Adv.
 Mr. Jabar Singh, Adv.
 Mr. Praveen Bhati, Adv.
 Mr. Arvind Yadav, Adv.
 Ms. Vaishali Gupta, Adv.
 Mr. H.S. Sachdeva, Adv.
 M/s. V. Maheshwari & Co., AOR

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. For the sake of convenience, the order is quoted hereunder:

"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 petitions.

Delay condoned.

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 these matters along with SLP (Civil) Diary No.34878 of 2019 and connected matters on 16.12.2019 for final disposal before the appropriate Bench.

(MUKESH NASA)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER