

ITEM NO.7

VIRTUAL 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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 5880/2020

(Arising out of impugned final judgment and order dated 13-09-2019 in WC No. 49375/2011 passed by the High Court Of Judicature At Allahabad)

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Petitioner(s)

VERSUS

SUBHASH CHAND & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.38980/2020-CONDONATION OF DELAY IN FILING and IA No.38981/2020-EXEMPTION FROM FILING O.T.)

Date : 26-05-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s) Mr. Sourav Roy, Adv.
Mr. Mahesh Kumar, Adv.
Mr. V.D. Khanna, Adv.
Mr. Zakir Hussain, Adv.
For M/S Vmz Chambers, AOR

For Respondent(s)

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

Delay condoned.

We have heard counsel for the petitioner.

In our opinion, the learned counsel for the petitioner is justified in making grievance that the High Court had failed to notice the two other decisions rendered by this Court, which according

to him, directly answer the issue in favour of the petitioner. In our view, this grievance can be redressed by the High Court.

As prayed, petitioner is permitted to withdraw this special leave petition with liberty to file review petition before the High Court within six weeks from today.

The High Court shall not dismiss the review petition on the ground of being barred by limitation, if filed within six weeks from today. Further, if the review petition is dismissed by the High Court, the petitioner will be free to challenge that order as well as the impugned judgment by way of fresh special leave petition before this Court.

Special Leave petition and pending application(s), if any, are disposed of accordingly.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER