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SLP(C)No. 443 OF 2004
ITEM No.MM-8

Court No. 2

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.443/2004

(From the judgement and order dated 18/12/2003 in FA 888/03
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P. & ORS.

Petitioner (s)

VERSUS

BRIJENDRA NATH UPADHYAY

Respondent (s)

(With prayer for interim relief)

(With Appln(s). for exemption from filing c/c of the impugned Judgment)

Date : 14/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s)Mr. Ravi P. Mehrotra, Adv.

Ms. Deepti Mehrotra, Adv.

Mr. Garvesh Kabra, Adv.

For Respondent (s)

UPON being mentioned by the counsel the Court made the following

O R D E R

Taken on board.

Issue notice on the petition for special leave as also on the prayer for interim relief.
Learned counsel for the petitioners states that in view of the two orders passed by the High Court the entire decretal amount has been deposited with the Registrar of the High Court.

It is directed that the execution of the trial Court's decree shall remain stayed and only 50% of the amount deposited by the State with the Registrar of the High Court shall be released to the respondent subject to the respondent furnishing adequate security to the satisfaction of the Registrar of the High Court and also giving an undertaking on affidavit for the refund of the amount within a period of two months in the case of the appeal being allowed. The attachment made by the Executing Court of the bank accounts of the District Magistrate and the Executive Engineer shall stand lifted forthwith.

KALYANI

(RADHA R. BHATIA)

COURT MASTER