

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...../2005

(CC 2616/2005)

(From the judgement and order dated 26/02/2004 in WP No. 1789/1994 of the
HIGH COURT OF JUDICATURE OF ALLAHABAD, LUCKNOW BENCH, LUCKNOW)

STATE OF U.P. & ANR.

Petitioner(s)

VERSUS

RAM VINOD TEWARI & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP)

Date: 14/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

Mr. S.Wasim A. Qadri, Adv.

Mr. Mohd. Saud, Adv.

Mr. Jatinder Kumar Bhatia, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

The impugned judgment notices that the counsel for the State submit

ted that the

controversy is settled by the earlier judgment of the High Court passed in Writ Petition

No.10589/1989 - Ashwani Kumar Sahal Vs. State of U.P. & Ors. Now it is sought to be

contended that neither Ashwani Kumar's case is applicable nor any submission was made

to that effect. On the contrary, reliance is placed on the decision of the High Court, interse

party, dated 19th August, 1976 in Writ Petition No.5396/1973. If this is the state of affair,

the petitioners have to first approach the High Court and not this Court.

In this view, we dismiss the special leave petition with liberty to the petitioners to

approach the High Court, if so advised.

(N. Annapurna)
Court Master

(V.P. Tyagi)
Court Master