ITEM NO.1 COURT NO.11 SECTION II

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

Crl.MP.NO.10248 & 12225/2011 in
Petition(s) for Special Leave to Appeal (Crl) No(s).6743/2009

(From the judgement and order dated 23/12/2008 in CRLWP No.35/2006, of The HIGH COURT OF UTTARAKHAND AT NAINITAL)

THE COMPETENT AUTHORITY & ADMN. Petitioner(s)

VERSUS

RAJESH KUMAR GUPTA & ORS. Respondent(s)

(With appln(s) for vacating stay,c/delay in filing SLP,stay,impleadment and office report)

Date: 23/03/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Ms. Ranjana Narayan,Adv.
Mr. P.K. Dey,Adv.
Mrs. Anil Katiyar,Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr. Gaurav Bhargava,Adv.
Mr. Gaurang Vardhan,Adv.
Mr. Niraj Gupta,Adv.

Mr. S.S. Shamshery,Adv.
Mr. Jatinder Kumar Bhatia ,Adv

Mr. M.T. George,Adv.
Ms. Kavitha K.T.,Adv.

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

This application (Crl.MP.No.10248/2011) has been filed for vacation of the interim order passed by this Court dated 4.9.2009 in SLP(Crl.)No.6743 of 2009 staying the operation of the impugned judgment of the High Court of Uttaranchal at Nainital dated 23.12.2008 whereby the forfeiture notice issued by the

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Competent Authority and Administrator, SAFEMA under Section 68-H of the NDPS Act was quashed. The vacation of the interim order has been sought on the ground that the said interim order has resulted in effective freezing of the properties, bank accounts and other assets of the applicant/respondent No.1. Therefore, the respondent is facing great hardship in running the educational institution etc.

After hearing learned counsel for the parties, we do not find any justification to entertain the application. It is accordingly

dismissed.

The other application for impleadment (Crl.MP.NO.12225/2011), as a consequence also stands dismissed.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master