

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(s).2639/2007

(From the judgement and order dated 12/12/2006 in CMWP No.54160/2005
& CMRA No.81128/2006 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MAHESH CHANDRA BANERJI

Petitioner(s)

VERSUS

U.P.AVAS EVAM VIKAS PARISHAD & ORS.

Respondent(s)

(With appln.(s) for permission to file addl. Documents and with
prayer for interim relief and office report)

(for final disposal)

WITH SLP(C) NO. 8019 of 2007

(with appln.(s) for permission to file rejoinder affidavit and
with prayer for interim relief and office report)

(for final disposal)

Date: 11/03/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Rajiv Dutta, Sr. Adv.
Mr. M.P. Shorawala, Adv.
Ms. Jyoti Saxena, Adv.
Mr. Vipin K.Saxena, Adv.

For Respondent(s) Mr. L.Nageshwar Rao, Sr. Adv.
R4-6 in SC2639/06 Mr. Praveen Jain, Adv.
&8019/07

Mr. Dinesh Dwivedi, Sr. Adv.
Mr. Vishwajit Singh, Adv.
Mrs. Veera Kaul Singh, Adv.
Mr. Abhindra Maheshwari, Adv.
R1-3 Mr. Manish Shankar Srivastav, Adv.
Mr. Pankaj Singh, Adv.

Contd..2/-

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Mr. Amit Khemka, Adv.
R6&7 Mr. Ambhoj Kumar Sinha, Adv.
Mr. Sanjay Rohatgi, Adv.

Mr. Ratnakar K.Dash, Sr. Adv.
St.of U.P. Mr. Shail Kr. Dwivedi, Addl.A.G.UP
Mr. Gunnam Venkateswara Rao, Adv.
Ms. Vandana Mishra, Adv.
Mr. Ashutosh Sharma, Adv.
Mr. Manoj Kr.Dwivedi, Adv.

Mr. Dinesh Dwivedi, Sr. Adv.
Mr. Vishwajit Singh, Adv.
Ms. Veera Kaul Singh, Adv.
Mr. Siddharth Sengar, Adv.
R2-3 Mr. Abhindra Maheshwari, Adv.

UPON hearing counsel the Court made the following

O R D E R

Having heard learned counsel for all the
respective parties, we feel that a decision in the

matter could best be arrived at if an actual survey was conducted of the plot in question (Plot No.1002) to demarcate the lands, measuring the 6.17 bighas of land, which had been acquired from the said plot, the lands which were originally owned by Dr. Mahesh Chandra Banerji and the lands at present under the possession of the heirs of Dr. Banerji. Apart from the said survey work, it would also be helpful if the details of the compensation paid in respect of the acquired lands are also made available. Mr. Dash appearing for the State is requested to provide the information on the next date by way of an additional affidavit, copies whereof should be made available to the counsel appearing for the respective parties at least three days before the next date.

Let this matter be adjourned till 14th April, 2010, as continuing part-heard at the top.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Court Master