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SLP(Crl.)No. 1845 OF 2000

ITEM No.22

Court No. 7

SECTION II
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 1845/2000

(From the judgement and order dated 19/01/2000 in CRLMP 49/99
of The HIGH COURT OF RAJASTHAN AT JAIPUR)

JAIPUR DEV. AUTHORITY

Petitioner (s)

VERSUS

MAN MOHAN & ANR

Respondent (s)

Date : 04/05/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s)

Mr. S.K. Bhattacharya,Adv.

For Respondent (s)

Mr. Sushil Kumar Jain,Adv.

Mr. Indra Makwana,Adv.

Ms.Madhurima Tatia,Adv.

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

.....L.....I..T.....T.....T.....T.....T.....T.....J..T....R
.SP2

Leave is granted.

The appeal is disposed of in terms of the signed
order. No costs.

.SP1

[Naresh Kumar]
Court Master

[Kanwal Singh]
Court Master

[Signed order is placed on the file.]

.PA

.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp

L.....T.....T.....T.....T.....T.....T.....T.....T.....T....R
.PL56

.....L.....T.....T.....T.....T.....T.....T.....T.....T.....R

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 607 OF 2001@@
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[Arising out of SLP(Cr) 1845/2000]

Jaipur Development Authority ...Appellant

Vs.

Man Mohan & Anr. ...Respondents

O R D E R@@
CCCCCCCC

L....L....I....T.....T.....T.....T.....T.....T.....T.....J....R
.SP2

Leave is granted.

On November 22, 2000, a limited notice was issued in this case in the following terms :

.SP1

"...as to why the direction for recovery of the costs from the Director (Law) should not be set aside. Pending further ordrs there shall be no recovery from the Director (Law)."

.SP2

Having heard the learned counsel for the parties, in our view, the direction of the High Court that the costs which are ordered against the Jaipur Development Authority should be recovered from the Director (Law) is unwarranted. The following portion of the order under challenge is accordingly set aside:

.SP1

.....L....T.....T.....T.....T.....T.....T.....J.....T....R

"Which shall be recovered from the Director (Law), who had authorised to file this petition in Jan. 1999, from his pay under the intimation to this Court and shall be deposited with State Legal Aid Committee. The compliance of this order shall be got done by the Registry within two months and progress shall be reported to the Court."

L.....T.....T.....T.....T.....T.....T.....T.....T.....T....R

.SP2

The Jaipur Development Authority will have to pay the costs as ordered by the High Court.

The appeal is accordingly disposed of. No costs.

.SP1

.....J.
[SYED SHAH MOHAMMED QUADRI]

New Delhi,
May 04, 2001.@@
CCCCCCCCCCC

.....J.
[S.N. PHUKAN]