

ITEM NO.3

COURT NO.10

SECTION X

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

WRIT PETITION (CIVIL) NO(s). 240 OF 2011[FOR PREL. HEARING]

NARESH CHAND & ORS.

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for office report) ex-Parte stay,exemption from filing O.T. and office report)

Date: 12/05/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Ashok Kumar Sharma,Adv.
Mr. Avinash Kumar Jain, Adv.

For Respondent(s)

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

Feeling aggrieved by the acquisition of their land for Leather City Yojana, the petitioners have filed this petition under Article 32 of the Constitution.

After arguing the case for some time, learned counsel for the petitioners made a request that his clients may be permitted to withdraw this petition with liberty to file petition under Article 226 of the Constitution.

The request of the learned counsel is accepted and the writ petition is disposed of with liberty in terms of the prayer made.

If the petitioners' file writ petition under
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Article 226 of the Constitution, the same shall be disposed of by the High Court without being influenced by the fact that this Court has given liberty to the them to file petition under Article 226 of the Constitution. However, the High Court shall be entitled to consider that there has been delay of 4-5 years in filing the writ petition against the notifications issued under sections 4 and 6 of the Land Acquisition Act, 1894.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master