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SLP(Crl.)No. 2627 OF 2001
ITEM No.46

Court No. 8

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. 2627/2001

(From the judgement and order dated 25/05/2000 in CRLW 3063/2000
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

COLLECTOR, KAUSHAMBI

Petitioner (s)

VERSUS

SHIV SAGAR SINGH & ORS.

Respondent (s)

(With Appln(s). for for c/delay in refiling SLP)

Date : 10/12/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr. Vivek Singh, Adv. for
Mr. Pramod Swarup, Adv.

For Respondent (s) Mr. P.K. Jain, Adv.

UPON hearing counsel the Court made the following
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Heard the learned counsel for the parties.
Dealy condoned.

There is substance in the contention raised by learned
counsel for the petitioner that the High Court ought not to have
interfered with the order passed by the District Collector under
The U.P. Gangsters and Anti-Social Activities (Prevention) Act,
1986 as under Sections 15 and 16 of the said Act there is an
elaborate procedure for approaching the competent authority and
without approaching the competent authority respondent has filed
the writ petition. He also submitted that the order passed by
the District Magistrate cannot by any stretch of imagination be
said to be without any jurisdiction or authority.

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However, considering the fact that pending hearing and
disposal of petition the property was released by order dated
25th May, 2000 we do not think that any purpose would be served
by interfering with the said order. It would be open to the
competent authority to proceed further with the matter and decide
the objections, if any, filed by the respondent, in accordance
with law. Till the disposal of the matter by the competent
authority, respondent shall not alienate the property in
question. The petition stands disposed of accordingly.

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(D.L. Chugh)
Court Master

(K.K. Chadha)
Court Master