

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

RECORD OF PROCEEDINGS

I.A.NO. 1 IN & Petition(s) for Special Leave to Appeal (Civil)...../2005

CC 7824/2005

(From the judgement and order dated 28/07/2005 in WP No. 4182/2005 of The HIGH COURT OF U.P AT LUCKNOW)

ARVIND KUMAR

Petitioner(s)

VERSUS

ABDUL WAHID & ORS.

Respondent(s)

( for permission to file SLP and with prayer for interim relief and office report ))

WITH IA No.2-3 (Appln. for permission to file addl.documents and exemption from filing O.T.)

WITH IA No.1 In & S.L.P.(C)...CC NO. 7829 of 2005

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

WITH IA NOS.2-3(Appln. For permission to file addl. Documents and exemption form filing O.T.)

S.L.P.(C)...CC NO. 7942 of 2005

(With appln(s) for permission to file SLP and permission to file addl. Documents and exemption

from filing O.T.with prayer for interim relief and office report)

S.L.P.(C)...CC NO. 7952 of 2005

(With appln(s) for permission to file SLP and permission to file addl. Documents and exemption

from filing O.T.with prayer for interim relief and office report)

Date: 29/08/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. Uday U. Lalit, Sr. Adv.

Mr. Rohan Thawani, Adv.

Mr. Joseph Pookkatt, Adv.

Ms. Pooja Dhar, Adv.

Mr. Prashant Kumar, Adv.

For Respondent(s)

Mr. Jitendra Mohan Sharma, Adv.

Mohd.H.Siddiqui, Adv.

Mr.Akhilesh Baijal, Adv.

Mr. Mithilesh K.Pandey, Adv.

ntd...2/-

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UPON hearing counsel the Court made the following

O R D E R

We have heard counsel for the parties.

Let these matters come up after 8 weeks.

In the meantime, it will be open to the State to invite applications for grant of mining

leases in respect of areas other than 1286 acres mining area scattered over 42 lots in Tehsil Behat,

District Saharanpur which admittedly has been granted by way of lease to respondents 1 to 3 herein

under the lease deed dated 6/1/2003. It is admitted by the parties that the area leased out to the

aforesaid respondents are identifiable and there is no dispute about that, since they have been

earmarked in the plan attached to the lease deed.

The State Government will proceed to invite applications for grant of mining lease, if it

is so advised, in respect of the area other than the lease hold area of respondents 1 to 3 herein.

Counsel for the respondents 1 to 3 states that the aforesaid respondents do not claim any mining

rights in respect of the areas which are not covered by their mining lease extending over 1286 acres.

It is for the Government to consider whether any area, apart from area leased out to the respondents

1 to 3, is available for being leased out. We express no opinion in the matter.

In the meantime, we hope the writ petition before the Lucknow Bench of the Allahabad

High Court which is posted for hearing on 26/9/2005 will be disposed of.

The parties assure us that they will not seek unnecessary adjournments.

(Sheetal Dhingra)

(Vijay Dhawan)

Court Master

Court Master