

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

IA NO.2 IN
Petition(s) for Special Leave to Appeal (Civil) No(s).14778/2009

(From the judgement and order dated 27/02/2009 in CMWP No.
68499/2006 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

GOVT.APPROVED TOURIST GUIDES ASSOCIATION Petitioner(s)

VERSUS

STATE OF U.P.& ORS. Respondent(s)

(Appln(s) for stay and prayer for interim relief and office report)

Date: 18/03/2010 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. M.N. Krishnamani, Sr. Adv.
Ch. Shamsuddin Khan, Adv.
Mr. Rameshwar Prasad Goyal,A.O.R.

For Respondent(s) Mr. S.G. Hasnain, Sr.Adv.
Mr. Anuvrat Sharma, Adv.
Mr. Fazal Ahamed, A.O.R

Mr. Shreekant N. Terdal, A.O.R.
Mr. Sanjay Sharawat, A.O.R.

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

Taken on Board.

In this application, the petitioner has made
the following substantive prayers:

I.stay the impugned judgment and final order
dated 27.02.2009 of the Hon'ble High Court of
Judicature at Allahabad in Civil Misc. Writ
Petition No.52805 of 2007.

II.pass restraining order directed the respondent
nos.1 & 2 not to issue the State level Guides
licenses till the disposal of the present case.
III.direct the respondent nos.1 & 2 to declare
that the area of operation of these State Level
Guides would not be Varanasi and Agra, where
India Tourism Office is located.

Since notice has been issued in the main
case, we can presume that the petitioner has a prima
facie case which constitutes one of the ingredients for
grant of interim relief. However, the petitioner has
failed to show that its members will suffer any injury
much less irreparable injury if respondents Nos.1 and 2
are not restrained from issuing State Level Guides
licenses or they are directed to declare that area of
operation of the State Level Guides would not be
Varanasi and Agra, where India Tourism Office is
located. If the petitioner succeeds in the special

leave petition, this Court may pass appropriate order
for giving relief to them, but there is no warrant for
restraining respondents Nos.1 and 2 to issue State
Level Guides licenses. That apart, the balance of
convenience is not in favour of grant of relief in
terms of the prayer made by the petitioner. It will

also be against public interest if State Level Guides
licenses are not issued to other persons or a direction
is given that they should not operate in Varanasi and
Agra.

For the reasons stated above, prayer for
interim relief is rejected.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master