nITEM NO.12 COURT NO.3 SECTION XI

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

Petition(s) for Special Leave to Appeal (Civil) No(s).17102/2010

(From the judgement and order dated 10/06/2010 in CMWP No. 34265/2010 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SEC.KAMAL KUNJ SAHAKARI AWAS SAMITI LD. Petitioner(s)

VERSUS

BHIM SEN & ORS. Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment,exemption from filing O.T. and prayer for interim relief and office report)

Date: 17/06/2010 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
[VACATION BENCH]

For Petitioner(s) Mr. Aruneshwar Gupta,Adv.
Mr. Manish Raghav, Adv.
Mr. Devendra Singh, Adv.

For Respondent(s)

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

Mr. Aruneshwar Gupta, learned counsel appears for the petitioner. Let notice be issued to the respondents. Dasti, in addition, is permitted.

Learned counsel for the petitioner submitted that the process of election had already commenced and there was no occasion for the Division Bench to have stayed the election which are to take place on 19/6/2010 and 20/6/2010. It was also submitted that the impugned order is against the mandate of this Court reported in Shri

.....2.

Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugdha Utpadak Sanstha & Ors. Vs. State of Maharashtra & Ors., (2001) 8 SCC 509. Our attention has been drawn to paragraph 12 thereof.

In the light of the aforesaid contention, the operation of the impugned order shall be kept in abeyance till the next date of hearing. However, if any remaining work is required to be completed which could not be done on account of stay granted by the Division Bench, the same may be commenced thereof and election held.

(Ravi P. Verma)
Court Master

(M.S. Negi)
Court Master