

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15375/2008

(From the judgement and order dated 13/05/2008 in CMWP No. 37949/2007 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

ITC LIMITED

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief)
WITH SLP(C) NO. 15401 of 2008
(With appln.(s) for brining on record the additional facts and exemption from filing
c/c of the impugned judgment and with prayer for interim relief and office report)
SLP(C) NO. 15504 of 2008
(With appln.(s) for permission to place addl. documents on record and exemption
from filing OT and with prayer for interim relief and office report)
SLP(C) NO. 15844 of 2008
(With appln.(s) for permission to place addl. documents on record and exemption
from filing OT and with prayer for interim relief and office report)
With SLP(C)No.16525/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.16709/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.16614/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.16731/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.16708/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.16559/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.17032/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)
SLP(C)No.17219/2008
(with appln.(s) for exemption from filing OT and with prayer for interim relief and
office report)

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SLP(C)No.15375/08 etc.

Date: 18/07/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s)
in SLP(C) 15375/08

Mr. Anil B. Diwan, Sr.Adv.
Mr. Anil Kher, Sr.Adv.
Mr. L.K. Bhushan, Adv.
Ms. Swati Malik, Adv.

for M/S. Dua Associates,Adv.

in SLP(C) 15401/08 Mr. Harish N. Salve, Sr.Adv.
 Ms. Ruby Singh Ahuja, Adv.
 Mr. Manu Aggarwal, Adv.
 Mr. Abeer Kumar, Adv.
Mrs Manik Karanjawala, Adv.

in SLP(C) 15844/08 Mr. Harish N. Salve, Sr.Adv.
 Ms. Bindu Saxena, Adv.
 Mr. V. Bansal, Adv.
Mr. Shailendra Swarup, Adv.

in SLP(C) 15504/08 Mr. Arun Jaitley, Sr.Adv.
Mr. Maninder Singh, Adv.
 Ms. Prathiba M. Singh, Adv.
 Mr. Gaurav Sharma, Adv.

in SLP(C)16525, 16559, Mr. P.P. Rao, Sr.Adv.
16614, 16708, 16709, Mr. S.K. Agarwal, Sr.Adv.
16731 & 17032 of 2008 Mr. Arun K. Sinha, Adv
 Mr. S.A. Hashmi, Adv.
 Mr. Nitin Khare, Adv.
 Mr. Ravinder Agarwal, Adv.
 Mr. Rakesh Singh, Adv.

in SLP(C) 17219/08 Mr. P.S. Patwalia, Sr.Adv.
 Mr. Dhiraj Malhotra, Adv.
 Mr. Gagan Gupta, Adv.
 Mr. M.K. Singh, Adv.
 Mr. Aslam Ahmed, Adv.
 Mr. Babit Jamwal, Adv.

For Respondent(s) Mr. K.K. Venugopal, Sr.Adv.
 Mr. Jyotindra Mishra, AG.,U.P.
 Mr. Shail Kumar Dwivedi, Addl.AG.
 Mr. Devendra Arora, AAG.
Mr. Praveen Swarup, Adv.
 Mr. Amit Singh, Adv.

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SLP(C)No.15375/08 etc.

UPON hearing counsel the Court made the following
ORDER

Leave granted. The applications seeking permission to file additional documents on record and applications for exemption from filing Official Translation are allowed.

Sri Shail Kumar Dwivedi, learned Additional Advocate General takes notice on behalf of State of Uttar Pradesh and Sri Praveen Swarup, learned counsel takes notice on behalf of NOIDA. Heard the learned counsel on the prayer for interim relief.

Interim stay of dispossession of the petitioners from the respective sites allotted to them. The petitioners shall maintain status quo and shall not put up any construction on the sites and shall not create any third party rights.

The High Court while setting aside the cancellation of letters of allotment has directed the State Government to give a hearing to the petitioners individually and thereafter pass a reasoned order, in the light of its observations, in regard to its proposal to cancel the allotment of sites.

We direct that the State Government (Principal Secretary, Industrial Development Department, Uttar Pradesh Government) shall accordingly give a hearing and pass a reasoned order in accordance with law uninfluenced by the observations made by the High Court in the impugned judgment dated 13.05.2008.

All the petitioners agree to appear before the concerned

Authority without further notice on 11.08.2008 for such hearing. We make it clear that the participation in such hearing by the petitioners and passing of orders by Uttar Pradesh Government will be without prejudice to the respective contentions of parties.

List on 09.09.2008. The concerned Authority shall take its decision by that date and submit its decision to this Court.

(PAWAN KUMAR)
COURT MASTER

(ANAND SINGH)
COURT MASTER