

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).15130/2009
(From the judgment and order dated 05/06/2009 in WP No.
34/2009 of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

GARHWAL MANDAL VIKAS NIGAM Petitioner(s)

VERSUS

MOHD. ARSHI & ORS. Respondent(s)
(With appln(s) for modification/clarification and office
report)

WITH SLP(C) NO. 17031 of 2009
(With prayer for interim relief and office report)
SLP(C) NO. 17034 of 2009
(With prayer for interim relief and office report)

Date: 23/04/2010 This Petition was called on for hearing
today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY
HON'BLE DR. JUSTICE B.S. CHAUHAN

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sanjai Kumar Pathak, Adv.

Mr. L.Nageshwar Rao, Adv.
Ms. Rachana Srivastava

Mr. Mukul Rohtagi, Sr. Adv./
Mr. Aman Sinha, AAG
Mr. Sanjay Pathak, Adv.

For Respondent(s) Mr. Jitendra Mohan Sharma, Adv.

Mr. Mohan Jain, ASG
M/s D.K.Thakur, Rohini Mukherjee,
CK Sharma, Yogita Yadav &
Mr. Shreekant N. Terdal ,Adv

M/s Mukhesh Verma & Aftab Alam, Advs.
Mr. Yash Pal Dhingra ,Adv
Mr. Gagan Gupta ,Adv

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

The special leave petitions are against the interim
order passed by the High Court. The High Court has restricted
the petitioner State from collecting boulders or stones from
the shallow river and river banks but the said operation is
opposed by the filing public interest litigation alleging that
it is part of the mining operation effecting the echo system.
They also contend that it requires special sanction of the
Statutory Authority and it cannot be done in an unauthorized
manner.

We are told that the matter has been posted for
hearing on 21.05.2010. The High Court will dispose of Writ
Petition i.e. PIL No. 34/2009 at the earliest i.e. within a
period of two months.

If disposal of the Writ Petition is delayed for any reason, the respondent would be at liberty to move the High Court for interim direction.

The Special Leave Petition is disposed of accordingly.

(Meera Hemant)
Asstt. Registrar

(Veera Verma)
Asstt. Registrar