

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

Petition(s) for Special Leave to Appeal (Civil) No(s).19915/2011

(From the judgment and order dated 30/05/2011 in CMWP No. 25920/2011 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S SOCIETY FOR SCIENCE & ENV.AWA.ANR

Petitioner(s)

VERSUS

STATE OF U.P. AND ORS.

Respondent(s)

(With office report)

Date: 22/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Dr. Sumant Bharadwaj, Adv.

Mr. Manoj Kumar, Adv.

Ms. Ankita Chauhan, Adv.

Mr. Vivekanand Mishra, Adv.

Ms. Mridula Ray Bharadwaj, Adv.

For Respondent(s)

Mr. M.R. Shamshad, Adv.

Mr. Karan Kalia, Adv.

For CBI

Mr. Siddharth Luthra, ASG.

MR. B.V. Balaram Das, Adv.

Mr. Pranay Agarwala, Adv.

Mr. Rajat Mathur, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

On 28th July, 2011, this Court had issued notice limited to the question whether recovery as per notice dated 26th April, 2011 could be done without enquiry and opportunity to the petitioners and passed an order of interim stay of the sale of the property of the petitioners for such recovery.

After perusing the counter affidavit filed on behalf of the respondents-State as well as the Annexures thereto, we are satisfied that an inquiry was conducted before the recovery notice dated 26th April, 2011.

The writ petition of the petitioners is pending before the High Court. In case the petitioners are advised to move the High Court for some interim relief in the writ petition, they may make a prayer for interim relief before the High Court.

With the aforesaid observations, this Special Leave Petition stands disposed of and the interim order is vacated. The Status Report be delivered back in a sealed cover to the counsel for the CBI. Copies of the sanction of the five officers for prosecution sought by the CBI have been delivered by the counsel for the State of Uttar Pradesh to the counsel of the CBI in Court.

[KALYANI GUPTA]

COURT MASTER

[SHARDA KAPOOR]

COURT MASTER

