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ITEM NO.46

COURT NO.11

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).22728/2011

(From the judgement and order dated 07/07/2011 in CMWP No.36680/2011 of  
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S HAR SHREE NATH INDUS.TR.PROP.

Petitioner(s)

VERSUS

STATE OF U.P.& ANR

Respondent(s)

(With appln(s) for permission to file addl. documents with prayer for  
interim relief)

Date: 06/08/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s)

Mr. Rishi Malhotra,Adv.

For Respondent(s)

Mr. Irshad Ahmad,AAG

Mr. Sulaiman Mohd. Khan,Adv.

Mr. Anuvrat Sharma,Adv

Mr. Rakesh Uttamchandra Upadhyay,Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

| (NARENDRA PRASAD)

| COURT MASTER

| | (RENUKA SADANA)

| | COURT MASTER

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.5793 OF 2012  
(ARISING OUT OF SLP(C) NO.22728 OF 2011)

M/S HAR SHREE NATH INDUS.TR.PROP.

Petitioner(s)

VERSUS

STATE OF U.P. & ANR

Respondent(s)

O R D E R

Leave granted.

Perused order of the High Court and heard counsel on either side.

Detailed counter affidavit has been filed by the respondent. Considering the facts and circumstances of the case, we are inclined to dispose of the matter requesting the High Court to consider the matter on merits in accordance with law. In order to do so, we are inclined to set aside the order of the High Court and request the High Court to dispose of the matter within a period of three months from the date of the communication of this order. We make it clear that we have not expressed any opinion on the merits of the case.

The appeal is, accordingly, disposed of.

.....J.

[K.S. RADHAKRISHNAN]

.....J.

[DIPAK MISRA]

NEW DELHI;  
AUGUST 06, 2012