

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).25948/2008

(From the judgement and order dated 04/09/2008 in CR No.123/2008
of The HIGH COURT OF JUDICATURE AT ALLAHABAD, BENCH AT LUCKNOW)

U.P.AVAS EVAM VIKAS PARISHAD & ORS.

Petitioner(s)

VERSUS

NAVRANG SAHKARI AWAS SAMITI & ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for
interim relief)

With S.L.P. (C) No.26123 of 2008

((With appln(s) for exemption from filing O.T., prayer for interim relief and office report)

S.L.P. (C) No.26317 of 2008

((With appln(s) for exemption from filing O.T., prayer for interim relief and office report)

S.L.P. (C) No.26319 of 2008

((With appln(s) for exemption from filing O.T., prayer for interim relief and office report)

S.L.P. (C) No.26323 of 2008

((With appln(s) for exemption from filing O.T., prayer for interim relief and office report)

Date: 10/11/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s)

Mr. U.U. Lalit, Sr. Adv.

Mr. Vishwajit Singh, Adv.

Mr. Veera Kaul Singh, Adv.

Mr. Siddarth Sengar, Adv.

For Respondent(s)

Mr. Ranjit Kumar, Sr. Adv.

Mr. Arjun Pant, Adv.

Ms. Jyoti Mendiratta, Adv.

....2/-

UPON hearing counsel the Court made the following
ORDER

Exemption allowed.

Leave granted.

Heard learned counsel appearing on behalf of the parties.

The civil appeals are allowed.

[T.I. Rajput]
A.R.-cum-P.S.

[Savita Sainani]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6606 OF 2008
(Arising out of S.L.P. (C) No.25948 of 2008

U.P. Avas Evam Vikas Parishad and Ors. ...Appellant(s)

Versus

Navrang Sahkari Awas Samiti and Anr. ...Respondent(s)

With Civil Appeal No.6607 of 2008 @ S.L.P. (C) No.26123 of 2008, Civil Appeal No.6608 of 2008 @ S.L.P. (C) No.26317 of 2008, Civil Appeal No.6609 of 2008 @ S.L.P. (C) No.26319 of 2008 and Civil Appeal No.6610 of 2008 @ S.L.P. (C) No.26323 of 2008

O R D E R

Leave granted.

Having heard learned counsel appearing on behalf of the parties and perused the records, we are of the view that the impugned order cannot be allowed to stand and the matters should be remitted to the Trial Court.

Accordingly, the impugned order is set aside and the Trial Court is directed to dispose of the petitions for grant of temporary injunction within a period of two months from the date of receipt/production of copy of this order and so long as the same are not disposed of, the appellant-U.P. Avas Evam Vikas Parishad, as stated on its behalf by learned counsel, shall not hold the auction.

The civil appeals are, accordingly, allowed.

.....J

[B.N. AGRAWAL]

.....J

[G.S. SINGHVI]

New Delhi,
November 10, 2008.