

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).8642/2007

(From the judgement and order dated 15/03/2007 in CMWP No.53333/2006 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SHRAWAN KUMAR AGRAWAL & ANR.

Petitioner(s)

VERSUS

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., permission to file additional documents and prayer for interim relief and office report)

WITH

SLP(C) NO. 12754 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14078 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14079 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14171 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14201 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14204 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14205 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14207 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14211 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14212 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14329 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 14499 of 2007  
(With prayer for interim relief and office report)

SLP(C) NO. 16158 of 2007  
(With office report)

SLP(C) NO. 16162 of 2007  
(With office report)

SLP(C) NO. 1718 of 2008  
(With office report)

SLP(C) NO. 17737 of 2007  
(With office report)



For Respondent(s)  
State of U.P.

Mr. P.N. Misra, Sr. Adv.  
Mr. Raman Yadav, Adv.  
Mr. Abhishth Kumar, Adv.

Mr. Prashant Kumar, Adv.  
Mr. Joseph Pookkatt, Adv. for  
M/S. Ap & J Chambers

Mr. Vishwajit Singh ,Adv

Mr. Ashok K. Srivastava, Adv.

Mr. H.P. Raval, Sr. Adv.  
Mr. M.P. Shorawala, Adv.

Mr. Gunnam Venkateswara Rao. Adv.

Mr. D.K. Gupta, Adv  
Mr. Mukesh Verma, Adv.  
Mr. Pawan Kumar Shukla, Adv.  
Mr. Yash Pal Dhingra, Adv.

Mr. P.K. Jain, Adv.

Mr. Rajesh Goyal, Adv.

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

Mr. P.N. Misra, learned senior counsel for the State of Uttar Pradesh submits that the notification dated 29.8.2006 may be treated as a notification under Section 4(1) of the Land Acquisition Act, 1894 (for short "the Act") simplicitor. He clarifies that the State Government is not desirous of pursuing its power under Section 17(1) read with Section 17(4) of the Act as mentioned in the above notification. Learned senior counsel, thus, submits that the petitioners (aggrieved parties) shall have now right to file their objections under Section 5A of the Act to the proposed acquisition.

The submission of Mr. P.N. Misra is fair and reasonable and in view there of, in our view, nothing remains to be decided in these matters on merits.

Delay condoned.

Special leave petitions are disposed of on the basis of above statements of learned senior counsel for the State of U.P. It is made clear that the petitioners (aggrieved parties) shall have right to raise all available objections in opposition to the proposed acquisition pursuant to the impugned notification. It is also made clear that the notification dated 29.8.2006 shall not be read as a notification invoking power of urgency under Section 17(1) and dispensation of enquiry under Section 17(4) of the Act.

We record and accept the statement of Mr. P.N. Misra, learned senior counsel that the notice inviting objections to the above notification shall be published in two local newspapers as early as may be possible.

| (Pardeep Kumar)  
| Court Master

| | (Renu Diwan)  
| | Court Master

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