ITEM NO.7 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)...../2010
(CC 17438/2010)
(From the judgement and order dated 24/05/2010 in SA No. 101/2005
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

KANPUR DEVT.AUTH. Petitioner(s)

VERSUS

SHYAMA S KENDRA KANPUR NAGAR Respondent(s)

With I.A.1 (C/delay in filing SLP)

Date: 10/12/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.Dinesh Dwivedi, Sr.Adv.
Mr. Abhishek Chaudhary,Adv.
Mr.Varun Chaudhary, Adv.

For Respondent(s) Mr.Braj K.Mishra, Adv.
Ms.Sarika Singh, Adv.
Mr.Vikram Patralikh, Adv.
Ms.Aparna Jha,Adv.

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

Delay condoned.

This petition is directed against judgment dated 24.05.2010 passed by the learned Single Judge of the Allahabad High Court, Lucknow Bench, whereby he dismissed the second appeal filed by the petitioner against the concurrent judgments and decrees passed by the trial Court and the lower Appellate Court.

At the threshold of hearing, Shri Dinesh Dwivedi, learned senior counsel appearing for the petitioner submitted that he is

not in a position to support the petitioner's challenge to the impugned judgment because no written statement was filed before the trial Court and the relevant documents were not produced before any of the Courts.

The special leave petition is dismissed.

We would have saddled the petitioner with exemplary costs but refrain from doing so because the learned senior counsel has been

extremely fair in stating that the special leave petition lacks substance.

However, if in future such petition is filed, the senior functionaries of the Kanpur Development Authority will have to personally suffer costs.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master