

ITEM NO.24

COURT NO.9

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).33760/2011

(From the judgement and order dated 08/09/2011 in WP
No.3314(SS)/2009 of The HIGH COURT OF ALLAHABAD, LUCKNOW BENCH
AT LUCKNOW)

STATE OF U.P.& ANR

Petitioner(s)

VERSUS

DIPLOMA ENGINEERS SANGH & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned
Judgment,exemption from filing O.T. and prayer for interim
relief and office report)(I.A.Nos. 3-5 Appln. for impleadment)

Date: 02/01/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr. Rakesh Dwivedi, Sr. Adv.
 Mr. Shail Kumar Dwivedi, Adv.
 Mr. Pradeep Misra, Adv.
 Mr. Suraj Singh, Adv.

For Respondent(s) Mr. Gopal Subramanian, Sr. Adv.
RR No.19 Mr. Sidharth Dhaon, Adv.
 Mr. Mohd. Fuzail Khan, Adv.
 Mr. Rajeev Singh, Adv.

RR No.33 Mr. Gopal Subramanian, Sr. Adv.
 Mr. Amit Sharma, Adv.
 Mr. Kunal Cheema, Adv.
 Mr. Rahul Jain, Adv.

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Mr. P.S. Patwalia, Sr. Adv.
Mr. Kuldeep S. Parihar, Adv.
Mr. Nikhil Majithia, Adv.
Mr. H.S. Parihar, Adv.

RR No.13 Mr. Rajeev Dhawan, Sr. Adv.
 Mr. Sidharth Dhaon, Adv.
 Mr. Mohd. Fuzail Khan, Adv.
 Mr. T. Anil Kumar, Adv.
 Mr. Ajay Singh, Adv.

Mr. Adarsh Upadhyay, Adv

Ms. Kamini Jaiswal, Adv.

Mr. Amit Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the State and Mr. Rajeev Dhawan, learned senior counsel for respondent no. 13, Mr. Gopal Subramanian, learned senior counsel for respondent nos. 19 & 33, Mr. P.S. Patwalia, learned senior counsel for respondent no.1. Heard also the learned counsel seeking impleadment of parties.

I.A.Nos. 3, 4 and 5 for impleadment are allowed on the ground that they were parties before the High Court.

After hearing learned senior counsel for the parties, we find that this matter requires consideration at length, we issue notice on the Special Leave Petition as well as I.As returnable in four weeks. The non-appearing respondents may be served by dasti also.

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Considering the facts and circumstances of this matter, we do not grant any interim order at this moment.

We make it clear that any promotion or reversion which may take place, will abide by the final result of these proceedings.

The parties may file their respective counter affidavits within four weeks. Rejoinder affidavit could be filed within four weeks thereafter. pleadings are to be completed by February, 2012.

Having regard to the urgency involved, the matter be listed on a non-miscellaneous day in the month of March, 2012.

However, we see no reason to take a different view from what we expressed in our orders in SLP(C) No.28395 of 2011 etc. dated 20.10.2011 and in SLP(C)No.28917 of 2011 dated 21.11.2011.

(KUSUM SYAL)
SR.P.A

(P.S. TYAGI)
COURT MASTER