

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).29121/2008

(From the judgement and order dated 26/08/2008 in CMWP No. 38059/2008 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

AMARJIT SINGH

Petitioner(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

(With appln(s) for exemption from filing lengthy list of dates and
permission to file additional documents and with prayer for interim
relief and office report)

Date: 05/01/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. M.N. Krishnamani, Sr.Adv.
Mr. Asim Chandra, Adv.
Ms. Vaishnavi Krishnamani, Adv.
Mr. Soumyajit Pani, Adv.
Mr. Dharam Bir Raj Vohra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

We find no reason to interfere as the High Court has accepted the
counter-affidavit filed on behalf of the Mandi Samiti that all facilities have
been provided in the new market yard.

The petitioner however submitted that the facilities are lacking.
He has produced some photographs in support of the said contention.

2

Whether there are facilities available or not is a question of fact. When
there is a shifting to a new market yard, certain problems are bound to
occur it is obviously impossible to have all the facilities in place before
shifting. The market Samiti will satisfy the shortcomings as and when
pointed out by the merchants and improve the facilities. Therefore, the
contention that he should not be asked to shift at this stage cannot be
accepted. It is however open to the petitioner to give any representation
for better facilities. This observation does not mean that the petitioner can
postpone the shifting.

The special leave petition is dismissed.

(PAWAN KUMAR)
COURT MASTER

(ANAND SINGH)
COURT MASTER