

ITEM NO.9

Court 5 (Video Conferencing)

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.6466/2021

(Arising out of impugned final judgment and order dated 08-03-2021 in WC No.9355/2021 passed by the High Court of Judicature at Allahabad)

ZULFIQUAR HAIDER & ANR.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With appln.(s) for I.R. and IA No.56732/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.56734/2021-EXEMPTION FROM FILING O.T.)

WITH S.L.P.(C) No.6624/2021 (XI)

(With appln.(s) for I.R. and IA No.58619/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.58620/2021-EXEMPTION FROM FILING O.T.)

Date : 26-07-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Arvind Verma, Sr. Adv.
Ms. Rooh-e-hina Dua, AOR

For Respondent(s)

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

- 1 It has been submitted on behalf of the petitioners by Mr Arvind Verma, learned senior counsel that:
 - (i) The petitioners in the two Special Leave Petitions were not trespassers, but were lessees, who upon the expiry of the term of lease, had filed an application for conversion of the lease hold interest to free hold;
 - (ii) On 1 March 2021, a notice of demolition was issued which was served on the petitioners on 6 March 2021 and the demolition was carried out on 7 March 2021 without affording to the petitioners a reasonable opportunity of carrying the matter before the appellate authority under the provisions of Section 27(2) of the UP Urban Planning Act;
 - (iii) One of the petitioners is a member of the Bar and the other is a professor whose entire library was demolished and the parties were dis-housed; and
 - (iv) The High Court has dismissed the petition by relying on a letter dated 15 September 2020 which was produced in the Court without giving an opportunity to the petitioners to controvert its contents.
- 2 Issue notice, returnable in eight weeks.
- 3 Dasti, in addition, is permitted.
- 4 Counter affidavit be filed within a period of four weeks from the date of service of the notice.
- 5 *Status quo*, as of today, shall be maintained till the next date of listing.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
COURT MASTER