

ITEM NO.5

COURT NO.2

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 (Civil) No(s).10085/2010

(From the judgement and order dated 16/02/2010 in CMWP No. 66786/2009 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S SANJEEVENI N.K.JAHANGIRABAD & ANR.

Petitioner(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief)

Date: 25/05/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE C.K. PRASAD
(VACATION BENCH)

For Petitioner(s) Mr. R.K. Gupta, Adv.
 Mr. Mukesh Kumar Singh, Adv.
 Mr. Shekhar Kumar, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioners and perused the record.

The petitioners' licence was suspended by District Magistrate vide order dated 25.3.2009. The Writ Petition No.25209 of 2009 filed by the petitioners was dismissed by the Division Bench of Allahabad High Court leaving the petitioners free to avail the remedy of appeal under Section 21 of the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex

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Selection) Act, 1994. The State Government gave opportunity of hearing to the petitioners and passed detailed speaking order, whereby the order of cancellation was set aside and substituted with suspension for a period of two years commencing from 14.2.2009.

Dissatisfied with the order of the appellate authority, the petitioners filed Writ Petition No.66786 of 2009. The learned Single Judge of the High Court took a compassionate view and reduced the period of suspension from two years to one year, which is going to end on June 30, 2010.

Although learned counsel for the petitioners made strenuous efforts to convince us to set aside the order of the High Court on the ground that the same is devoid of reasons, but keeping in view the fact that

quashing of the impugned order will result in restoration of the part order passed by the State Government till fresh decision of the writ petition, we do not consider it proper to accept the submission of the learned counsel.

The special leave petition is accordingly dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master