

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(s).2759/2023

(Arising out of impugned final judgment and order dated 14-11-2022 in WC No.33817/2022 passed by the High Court Of Judicature At Allahabad)

SITAPUR EYE HOSPITAL TRUST SOCIETY & ANR.

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(IA No.26144/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.26151/2023-EXEMPTION FROM FILING O.T.)

Date : 13-02-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Ms. Liz Mathew, AOR
Mr. Abhishek Malhotra, Adv.
Mr. Harsh Buch, Adv.
Ms. Spana Chaurasia, Adv.
Mr. Rommel Khan, Adv.
Mr. Toshiv Goyal, Adv.
Ms. Vasudha Jain, Adv.
Ms. Vijetha Ravi, Adv.
Mr. Vijay Deora, Adv.
Ms. Mallika Aggarwal, Adv.

For Respondent(s)

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

Taking note of the submissions made by learned senior counsel for the petitioners that in fact the payable amount i.e. a sum of Rs.3,83,244/- (Rupees Three Lakh Eighty-Three Thousand Two Hundred and Forty-Four only) was indeed deposited by the petitioners by way of demand draft dated 03.02.2020, we have posed a question as to

whether such a fact was brought to the notice of the High Court while the High Court passed the impugned order dated 14.11.2022 requiring the petitioners to make payment of the principal amount i.e. sum of Rs.1,91,622/- (Rupees One Lakh Ninety-One Thousand Six Hundred and Twenty-Two only).

Upon our queries, learned senior counsel for the petitioners submits that petitioners shall stand advised not to proceed with the petition and seeks permission to withdraw with liberty for the petitioners in making appropriate application before the High Court as also to approach this Court over again, if so required.

Permission granted.

The petition is dismissed as withdrawn with liberty as prayed.

(GAGANDEEP SINGH CHADHA)
(SENIOR PERSONAL ASSISTANT)

(RANJANA SHAILEY)
COURT MASTER (NSH)