

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A. No. 3/2013 in
Petition(s) for Special Leave to Appeal (Civil) No(s).3417/2012

(From the judgement and order dated 21/10/2011 in CMWP No.27539/2011 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

PRAMOD KHARI Petitioner(s)

VERSUS

STATE OF U.P.& ORS. Respondent(s)

(for interim stay and I.A. No. 2 - appln.(s) for transposition
of respondent Nos. 6 & 7 as petitioner and office report)

I.A. No. 2/2013 in S.L.P. (Civil) No.4645/2012)
(for interim stay and office report)

I.A. No. 3/2013 in S.L.P. (Civil) No.4647/2012)
(for interim stay and I.A. No. 2 - appln.(s) for transposition
of respondent Nos. 6 & 7 as petitioner office report)

I.A. No. 2/2013 in S.L.P. (Civil) No.4661/2012)
(for interim stay and office report)

I.A. No. 2/2013 in S.L.P. (Civil) No.5091/2012)
(for interim stay and office report)

Date: 19/07/2013 These IAs were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Mr. Nikhil Jain, Adv. for
Mr. Rakesh Dahiya, Adv.

For Respondent(s) Mr. Ravindra Kumar, Adv.

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

S.L.P. (Civil) No.3417/2012

Interlocutory Application No. 3/2013 : We have heard Mr. Nikhil Jain, learned counsel for the applicant-petitioner, and Mr. Ravindra Kumar, learned counsel for the Greater Noida Industrial Development Authority (for short, 'Authority').

There is dispute between the parties about the actual physical possession of the subject land. On the one hand, the applicant-petitioner contends that he is in possession of the subject land, while the Authority claims that possession of the subject land has been taken over and it is the Authority which is in possession.

In view of the above, we direct that if the applicant-petitioner is in actual physical possession of the subject land, the applicant-petitioner will not be forcibly dis-posessed by the respondents until further orders.

It is further made clear that if the Authority has taken possession of the subject land, then in the garb of this order, the applicant-petitioner will not try to forcibly enter into the subject land.

Interlocutory Application No. 3 of 2013 stands disposed of.

Interlocutory Application No. 2/2012 : List this interlocutory application after two weeks.

Interlocutory Application No. 2 of 2013 in
S.L.P. (Civil) No.4645 of 2012

We have heard Mr. Nikhil Jain, learned counsel for the applicant-petitioner, and Mr. Ravindra Kumar, learned counsel for the Greater Noida Industrial Development Authority (for short, 'Authority').

There is dispute between the parties about the actual physical possession of the subject land. On the one hand, the applicant-petitioner contends that he is in possession of the subject land, while the Authority claims that possession of the subject land has been taken over and it is the Authority which is in possession.

In view of the above, we direct that if the applicant-petitioner is in actual physical possession of the subject land, the applicant-petitioner will not be forcibly dis-posessed by the respondents until further orders.

It is further made clear that if the Authority has taken possession of the subject land, then in the garb of this order, the applicant-petitioner will not try to forcibly enter into the subject land.

Interlocutory Application No. 2 of 2013 stands disposed of.
S.L.P. (Civil) No. 4647 of 2012

Interlocutory Application No. 3/2013 : We have heard Mr. Nikhil Jain, learned counsel for the applicant-petitioner, and Mr. Ravindra Kumar, learned counsel for the Greater Noida Industrial Development Authority (for short, 'Authority').

There is dispute between the parties about the actual physical possession of the subject land. On the one hand, the applicant-petitioner contends that he is in possession of the subject land, while the Authority claims that possession of the subject land has been taken over and it is the Authority which is in possession.

In view of the above, we direct that if the applicant-petitioner is in actual physical possession of the subject land, the applicant-petitioner will not be forcibly dis-posessed by the respondents until further orders.

It is further made clear that if the Authority has taken possession of the subject land, then in the garb of this order, the applicant-petitioner will not try to forcibly enter into the subject land.

Interlocutory Application No. 3 of 2013 stands disposed of.

Interlocutory Application No. 2/2012 : List this interlocutory application after two weeks.

Interlocutory Application No. 2 of 2013 in
S.L.P. (Civil) No.4661 of 2012

We have heard Mr. Nikhil Jain, learned counsel for the applicant-petitioner, and Mr. Ravindra Kumar, learned counsel for the Greater Noida Industrial Development Authority (for short, 'Authority').

There is dispute between the parties about the actual physical possession of the subject land. On the one hand, the applicant-petitioner contends that he is in possession of the subject land, while the Authority claims that possession of the subject land has been taken over and it is the Authority which is in possession.

In view of the above, we direct that if the applicant-petitioner is in actual physical possession of the subject land, the applicant-petitioner will not be forcibly dis-posessed by the respondents until further orders.

It is further made clear that if the Authority has taken possession of the subject land, then in the garb of this order, the applicant-petitioner will not try to forcibly enter into the subject land.

Interlocutory Application No. 2 of 2013 stands disposed of.

Interlocutory Application No. 2 of 2013 in
S.L.P. (Civil) No.5091 of 2012

We have heard Mr. Nikhil Jain, learned counsel for the applicant-petitioner, and Mr. Ravindra Kumar, learned counsel for the Greater Noida Industrial Development Authority (for short, 'Authority').

There is dispute between the parties about the actual physical possession of the subject land. On the one hand, the applicant-petitioner contends that she is in possession of the subject land, while the Authority claims that possession of the subject land has been taken over and it is the Authority which is in possession.

In view of the above, we direct that if the applicant-petitioner is in actual physical possession of the subject land, the applicant-petitioner will not be forcibly dis-possessed by the respondents until further orders.

It is further made clear that if the Authority has taken possession of the subject land, then in the garb of this order, the applicant-petitioner will not try to forcibly enter into the subject land.

Interlocutory Application No. 2 of 2013 stands disposed of.

|(Rajesh Dham)
|Court Master

| |(Renu Diwan)
| |Court Master

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