ITEM NO.29 Court 4 (Video Conferencing) SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 12918/2021

(Arising out of impugned final judgment and order dated 31-05-2021 in WP(C) No. 5150/2021 passed by the High Court Of Delhi At New Delhi)

PRADEEP KUMAR YADAV Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.66257/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.66258/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

WITH
SLP(C) No. 7845/2021 (XIV)
(FOR ADMISSION and I.R. and IA No.69641/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.69649/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.69650/2021-PERMISSION TO FILE LENGTHY LIST OF DATES and IA No.69651/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 29-06-2021 This petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)
Mr. Sidharth Luthra, Sr. Adv.
Mr. Gautam Khazanchi, Adv.
Mr. Nitin Saluja, AOR
Mr. Shubhangni Jain, Adv.
Mr. Pankaj Singhal, Adv.
Ms. Sasha Maria Paul, Adv.

Mr. Rakesh Khanna, Sr. Adv.
Mr. Vishal Thakre, Adv.
Mr. Abhay Singh Yadav, Adv.
Ms. S.B. Khan, Adv.
Ms. Shikha Yadav, Adv.
Mr. Sanjeev Malhotra, AOR

For Respondent(s)

Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv.
Ms. Garima Prasad, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Raj Bahadur Yadav, AOR

Mr. Maninder Singh, Sr. Adv.
Ms. Sonali Jaitley Bakhshi, Adv.
Mr. Jaiyeshbakshi, Adv.
Mr. Shubhanshu Gupta, Adv.
Ms. Sanjana Bakshi, Adv.
Mr. Mayank Mishra, ADv.
Mr. Chirag Sharma, Adv.
Mr. Prabhas Bajaj, Adv.
Mr. P. V. Yogeswaran, AOR

UPON hearing the counsel the Court made the following

O R D E R

Diary No(s). 12918/2021

Application seeking permission to file Special Leave Petition is rejected.

SLP(C) No. 7845/2021

We have heard Mr. Sidharth Luthra, learned senior counsel, appearing for the petitioners.

We find that the view taken by the High Court is a possible view. No interference in this Special Leave Petition is required.

The challenge to the finding *qua* the petitioners is untenable as the petitioners are not in a position to point out that as public-spirited persons, they had made proper enquiries about the other public projects in the city and also asserted in the Writ Petition that it is

the only the subject project which was non-compliant. Further, it is noticed that during the pendency of the Writ Petition filed by the petitioners before the High Court, it had come on record that the project was fully compliant as of now, by way of affidavit. Correctness whereof has not been challenged by the petitioners, rather it had commended to the High Court.

Despite that, the petitioners still pursued the Writ Petition before the High Court for reasons best known to them. If so, the petitioners cannot be heard to complain about the adverse finding recorded by the High Court against them and which, in our opinion, is a possible view.

While parting, we may observe that the High Court had been rather conservative in imposing cost only of Rs.1,00,000/ (Rupees One Lakh Only) despite recording the finding that the petition was motivated as the Writ Petitioners selectively questioned one project.

Hence, this Special Leave Petition is dismissed

Pending application(s), if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)