

ITEM NO.10

COURT NO.9

SECTION X

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

Petition(s) for Special Leave to Appeal (C) No(s). 12432/2022

(Arising out of impugned final judgment and order dated 10-06-2022 in SPLA No. 125/2022 passed by the High Court Of Uttarakhand At Nainital)

SALMAN BADAR & ORS.

Petitioner(s)

VERSUS

THE STATE OF UTTARAKHAND & ORS.

Respondent(s)

([ONLY I.A. NO. 152828/2023 IN SLP(C) NO. 12860 - 12862/2022 TO BE LISTED]

WITH

SLP(C) No. 12860-12862/2022 (X)

(FOR

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 152828/2023

IA No. 152828/2023 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 11-09-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY

HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s) Mr. P. S. Patwalia, Sr. Adv.
 Mr. Santosh Kumar, Adv.
 Mr. Madhurendra Sharma, Adv.
 Mr. Rajiv R. Mishra, Adv.
 Ms. Suruchi Yadav, Adv.
 Mr. Sazeem Khan, Adv.
 Mr. Vijay Kumar Sharma, Adv.
 Mr. Yadav Narender Singh, AOR

Mr. Adil Muneer Andrabi, AOR
 Ms. Bisma Rashid, Adv.
 Mr. Yaser Jilani, Adv.
 Ms. Mumtaz Ahmed, Adv.
 Mr. Saddam Hussain, Adv.

Mr. Smarhar Singh, AOR
 Ms. Shweta Kumari, Adv.
 Mr. Chinmay Kumar, Adv.
 Mr. Rishi Raj, Adv.
 Mr. Manoj Kumar, Adv.

For Respondent(s)

Mr. Sanjeev Agarwal, AOR

UPON hearing the counsel the Court made the following

O R D E R

I.A. NO. 152828/2023 IN SLP(C) NO. 12860 - 12862/2022

The Institute (respondent No.2) and the University (respondent No.3) has circulated a letter for adjournment, by three weeks.

Mr. P. S. Patwalia, the learned Senior Counsel appearing for the students would however submit that the students were required to deposit a total sum of Rs.23 lakh towards outstanding dues. According to Mr. Patwalia 126 students out of 131, have deposited a sum of Rs.10 lakh in the Supreme Court Registry and 84 out of 126 students have remitted a further sum of Rs.13 lakh to the University. Five students out of those 131, have not tendered any amount. Therefore, insofar as these 84 students are concerned, entire outstanding amount is remitted i.e. (Rs. 10 lakh in the Supreme Court and Rs.13 lakh to the University). A No dues certificate is also issued to those students, by the University.

It is then submitted that mis-utilising the blank cheques furnished earlier by the students, the proceedings under Section 138 of the *Negotiable Instrument Act 1881* is initiated against the students and this according to senior counsel is an arm twisting tactics of the University and the Institute.

Be that as it may, as prayed for by the counsel for the respondents, the matters are adjourned by three weeks.

List on 09.10.2023.

**[DEEPAK JOSHI]
COURT MASTER**

**[KAMLESH RAWAT]
ASSISTANT REGISTRAR**