

ITEM NO.15

COURT NO.1

SECTION XI

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).45480/2023

(Arising out of impugned final judgment and order dated 14-07-2023 in WC No. 7022/2023 passed by the High Court of Judicature at Allahabad)

EXECUTIVE COMMITTEE, MAULANA MOHAMAD ALI JAUHAR TRUST Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(WITH IA No.242323/2023-CONDONATION OF DELAY IN FILING and IA No.242326/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.242328/2023-EXEMPTION FROM FILING O.T.)

Date : 01-12-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) **Mr. Kapil Sibal, Sr. Adv.**
 Mr. Nizam Pasha, Adv.
 Mr. Lzafeer Ahmad B. F., AOR
 Ms. Aayushi Mishra, Adv.

For Respondent(s)

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

- 1 Delay condoned.

- 2 The petitioner has moved this Court against an order dated 14 July 2023 of a Division Bench of the High Court of Judicature at Allahabad in Writ-C No 7022 of 2023.

- 3 From the impugned order, it appears that the judgment was reserved "some time ago". However, the Bench proceeded to release the matter from its part

heard status on the ground that it needed further hearing and one of the members of the Bench was sitting in the Criminal Appellate Jurisdiction. The proceedings were directed to be listed before an appropriate Bench in the next cause-list. One of the Judges in the Division Bench which reserved the matter for judgment initially has since been transferred to the High Court at Calcutta. Hence, in any event, the proceedings will have to be listed before a fresh Bench to be nominated by the Chief Justice.

- 4 Mr Kapil Sibal, senior counsel appearing on behalf of the petitioner, submits that the petitioner would also press an application for interim relief.
- 5 In order to facilitate the petitioner in seeking access to judicial remedies, we direct that the writ petition, namely, Writ-C No 7022 of 2023, be shown in the list of urgent admissions and be listed before the Bench presided over by the Acting Chief Justice of the High Court of Judicature at Allahabad. Since the status of the petition has been restored as an urgent admission petition by the order of this Court, we grant liberty to the petitioner to move the Bench presided over by the Acting Chief Justice of the High Court of Judicature at Allahabad with an application for interim relief which should be considered on its own merits expeditiously.
- 6 Subject to the aforesaid, the Special Leave Petition is disposed of.
- 7 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR