

ITEM NO.1501
(FOR JUDGMENT)

COURT NO.11

SECTION X

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

Writ Petition(s)(Civil) No(s). 338/2006

SANJAY GUPTA & ORS.

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH THROUGH
ITS CHIEF SECRETARY & ORS.

Respondent(s)

Date : 12-04-2022 These matters were called on for pronouncement of
judgment today.

For Petitioner(s) Mr. Prem Malhotra, AOR

For Respondent(s) Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Kamlendra Mishra, AOR

Mr. Gunnam Venkateswara Rao, AOR

Mr. P. Parmeswaran, AOR

Mr. Sunil Kumar Jain, AOR

Mr. Anuvrat Sharma, AOR

Mr. Manoj K. Mishra, AOR

Mr. Umesh Dubey, Adv.

Mr. D.N. Dubey, Adv.

Mr. Vishrov Mukeree, Adv.

Mr. Sudhir S. Rawat, Adv.

Mr. Pradeep Misra, AOR

Mr. Saurabh Trivedi, AOR

Mr. A.P. Dhamija, Adv.

Mr. J.P. Singh, Adv.

Mr. Sarad Kumar Singhania, AOR

Mr. Shanti Bhushan, Sr. Adv. (N.P.)

Mr. Rohit Kumar Singh, AOR

Ms. Sunita Singh Chauhan, Adv.

Mr. Hitesh Kumar Sharma, Adv.

Mr. Akhileshwar Jha, Adv.

Mr. E. Vinay Kumar, Adv.

Mr. Arvind Kumar Sharma, AOR

Hon'ble Mr. Justice Hemant Gupta pronounced the reportable judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice V. Ramasubramanian.

The objection about maintainability of the writ petition under Article 32 of the Constitution of India is not sustainable in terms of the signed reportable judgment.

The operative portion of the judgment reads as under:-

"58. The list of deceased and injured persons has been produced by the learned counsel for the petitioners. The amount of compensation payable to each of the victim including the families of the deceased have not been computed and such amount is required to be computed in accordance with the principles of just compensation as in the case of accident under the Motor Vehicle Act, 1988 by the Motor Accidents Claims Tribunal.

59. We, therefore, request the Hon'ble Chief Justice of the Allahabad High Court to entrust the work of determination of compensation to a Judicial Officer in the rank of District Judge/Additional District Judge at Meerut within two weeks of the order of this Court to work exclusively on the question of determination of the compensation on day-to-day basis. The High Court shall provide all necessary infrastructure to enable the Officer to discharge his duties. The nominated Judicial Officer may permit the parties to lead such evidence as may be permissible. We hope that the nominated Judicial Officer shall calculate the amount of compensation and forward the report to this Court for consideration in respect of compensation in accordance with law. The amount paid by the State and a sum of Rs.30 Lakhs deposited by the Organizers has been disbursed to the victims. The said amount, excluding the ex-gratia payments made, be taken into consideration while determination of the amount payable by the Organizers and the State."

List the matter after four months.

(SWETA BALODI)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER

(Signed reportable judgment is placed on the file)