

ITEM NO.14

COURT NO.14

SECTION II

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 (Cr1.) No(s). 5900/2012

(Arising out of impugned final judgment and order dated 22-05-2012 in CRLA No. 3000/2003 passed by the High Court Of Judicature At Allahabad)

VINAY KUMAR JAIN

Petitioner(s)

VERSUS

SENIOR COOPERATIVE OFFICER AVAS VIKAS & ANR. Respondent(s)
(IA No. 57948/2014 - App. for exempt. from filing O/T, IA No. 13947/2016 - App. for permission to file supply Counter Aff., IA No. 13948/2016 - EXEMPTION FROM FILING O.T., IA No. 17668/2012 - PERMISSION TO FILE ANNEXURES & IA No. 16682/2012 - STAY APPLICATION)

WITH

SLP(Cr1) No. 6271/2012 (II)
(FOR STAY APPLICATION ON IA 17700/2012)

SLP(Cr1) No. 7059/2012 (II)
(FOR STAY APPLICATION ON IA 20185/2012)

SLP(Cr1) No. 407/2013 (II)
(FOR CONDONATION OF DELAY IN FILING ON IA 27973/2012, FOR STAY APPLICATION ON IA 895/2013, FOR EXEMPTION FROM FILING O.T. ON IA 896/2013 , FOR [App. for impleadment] ON IA 15680/2013 , FOR EXEMPTION FROM FILING O.T. ON IA 15681/2013)

Date : 16-12-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Ms. Purnima Bhat, AOR
Mr. Pradeep Kant, Sr.Adv.
Mr. E. C. Agrawala, AOR
Mr. Divyanshu Sahay, Adv.
Ms. Prashi Tyagi, Adv.
Dr.Pratyush Nandan, Adv.

For Respondent(s) Mr. Mohd. Parvez Dabas, Adv.
Mr. Mohd. Shahib, Adv.
M/S. Shakil Ahmad Syed, AOR
Ms. Anu Gupta, AOR

Mr. Ankit Goel, AOR

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

SLP(Crl.)No(s).5900/2012

Learned counsel for the petitioner(s) on instruction submits that on one point of time submission was made that the petitioner(s) was not served and opportunity of hearing has not been afforded before passing of the judgment impugned. This Court granted him liberty of filing an application for recall before the High Court which has been recorded by this Court in the order dated 02.09.2016.

Learned counsel submits that pursuant thereto recall application being Crl.Misc.(Recall) Application No.18612/2012 has been filed before the High Court at the instance of the present petitioner(s) and that is still pending since then and no orders has been passed by the High Court so far.

Learned counsel for the petitioner(s) on instruction submits that he may withdraw the afore-stated Recall Application pending before the High Court reserving his rights to question the judgment impugned in the instant proceedings.

Ordered accordingly.

The Crl.Misc.(Recall) Application No.18612/2012 stands withdrawn before the High Court.

Let parties may address this Court on merits questioning the judgment impugned in the instant proceedings.

List on 10.02.2022 along with other connected matters.

(NIRMALA NEGI)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)