

ITEM NO.8 + 75 + 77

COURT NO.6

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). 38719/2019

(Arising out of impugned final judgment and order dated 20-08-2019 in WC No. 1216/2019 passed by the High Court Of Judicature At Allahabad)

VIKASH TOMAR & ORS.

Petitioner(s)

VERSUS

SUSHIL CHANDRA SRIVASTAVA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.170098/2019-ADDITION / DELETION / MODIFICATION PARTIES and IA No.170097/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.170099/2019-EXEMPTION FROM FILING O.T. and IA No.170100/2019-INTERVENTION/IMPLEADMENT and IA No.170096/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Item 75

Diary No(s). 38846/2019

(FOR ADMISSION and I.R. and IA No.166455/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.166456/2019-EXEMPTION FROM FILING O.T. and IA No.166454/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

WITH

Diary No(s). 38416/2019 (XI)

(FOR ADMISSION and I.R. and IA No.167927/2019-ADDITION / DELETION / MODIFICATION PARTIES and IA No.167925/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.167928/2019-EXEMPTION FROM FILING O.T. and IA No.167931/2019-INTERVENTION/IMPLEADMENT and IA No.167924/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Diary No(s). 38462/2019 (XI)

(FOR ADMISSION and I.R. and IA No.167860/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.167861/2019-EXEMPTION FROM FILING O.T. and IA No.167862/2019-INTERVENTION/IMPLEADMENT and IA No.167859/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Item 77

Diary No(s). 40620/2019

(FOR ADMISSION and I.R. and IA No.173767/2019-EXEMPTION FROM FILING

C/C OF THE IMPUGNED JUDGMENT and IA No.173769/2019-EXEMPTION FROM FILING O.T. and IA No.173765/2019-PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 18-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. S.R. Singh, Sr. Adv.
Mr.Mitr Rao, Adv.
Mr. Shivam Sharma, Adv.
Ms. A. Sunita Pandit, Adv.
Mr. Adarsh Verma, Adv.
Mr. Ankur Yadav, AOR

Mr. Ashok Arora, Adv.
Mr. Dhananjaya Kr. Tyagi, Adv.
Dr. Sushil Balwada, AOR

Mr. Dushyant Parashar, Adv.

For Respondent(s)

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

Learned counsel for the petitioners have invited our attention to order dated 14.10.2019 passed by this Court in SLP (C) Dy. No.34878/2019. For the sake of convenience, the order is quoted hereunder:

“Contention of the learned senior counsel appearing for the petitioners is that general directions have been issued in the writ petition filed with regard to their grievances in the locality. It is contended that such general directions have been issued in the writ petition, which petition was not in the nature of a public interest litigation. Learned senior counsel submits that the petitioners herein, though no parties in the writ petition before the High Court, would also be affected by the general directions so issued.

In view of the above, application for permission to file the special leave petition is allowed.

Issue notice.

Considering the facts of the case, the direction number (iii) in the operative portion of the judgment of the High Court dated 20.8.2019 shall remain stayed insofar the petitioners are concerned."

The petitioners submit that they are in the business of providing DJ services on special occasions such as marriage ceremonies and other similar functions. They submit that before said directions were passed, as and when they would prefer applications, the same were considered in accordance with law and the relevant regulatory provisions. However, as a result of the directions issued by the High Court their applications are not being concerned by the authorities.

Pending further consideration, we grant interim direction in same terms and direct that as and when any applications are preferred, the applications shall be considered by the concerned authorities; and if the same are otherwise in accordance with law, the permission may be granted despite the direction issued by the High Court,

List the main matter for final disposal on 16.12.2019.

(INDU MARWAH)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER