

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5072 OF 2009
(Arising out of SLP© No. 16795/2009)

Vice Chairman, Lucknow Development
Authority & Ors. ...Appellants

Versus

Mahant Baksh Singh @ Jai Chaudhary & Ors. ...Respondents

JUDGEMENT

R.M. Lodha, J.

Leave granted.

2. This appeal by special leave is directed against an interlocutory order dated July 15, 2009 passed by the High Court of Judicature at Allahabad, Lucknow Bench, Lucknow.

3. The impugned direction reads thus:

“ We, therefore, direct the District Magistrate, Lucknow and Senior superintendent of Police, Lucknow to put the petitioners in possession over the Khasra plot No. 1284 area 1 Bigha with the help of the revenue authorities within

24 hours and submit a report before this Court
on 17th of July, 2009.”

4. During the course of hearing, Mr. Mukul Rohtagi, learned Senior Counsel for Respondent Nos. 1 to 6 submitted that the said respondents (original writ petitioners) have no objection if the aforesaid direction is set aside.

5. In view thereof, we are satisfied that the grievance of the appellant stands redressed and it is not necessary to go into the diverse aspects of the matter.

6. Accordingly, appeal is allowed and the direction aforenoticed is set aside. Looking to the controversy raised in the writ petition, we request the High Court to hear and decide the writ petition as expeditiously as may be possible uninfluenced by any observation made in the impugned order or the order that has been passed by us.

.....J
(Tarun Chatterjee)

.....J
(R. M. Lodha)

New Delhi
August 4, 2009.