ITEM NO.12 Court 4 (Video Conferencing) SECTION PIL-W

SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

Writ Petition (Civil) No.55/2020

PARWAIZ ARIF TITU

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(With appln.(s) for IA No.103843/2021 - EXEMPTION FROM FILING O.T., IA No. 5918/2020 - EXEMPTION FROM FILING O.T., IA No.16875/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.5917/2020 - STAY APPLICATION)

Date: 18-02-2022 These matters were called on for hearing today.

CORAM:

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Ms. Nilofar Khan, AOR

Mr. Mukesh Kumar, Adv.

Mr. Milind P. Singh, Adv.

Mr. Khushi Mohd., Adv.

Mr. Anjum Parvez, Adv.

Ms. Nilofar Khan, AOR

For Respondent(s) Ms. Garima Prasad, Sr. Adv., AAG

Mr. Pradeep Misra, AOR

Mr. Suraj Singh, Adv.

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

The State of Uttar Pradesh stated, through Ms Garima Prasad, senior counsel and Additional Advocate General, that on 14 and 15 February 2022,

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Government Orders have been issued in terms of which, the show cause notices which were issued in 274 cases for alleged destruction of public property since December 2019 have been withdrawn together with consequential proceedings which were carried out by the Additional District Magistrates.

- In view of the enactment of the Uttar Pradesh Recovery of Damage to Public and Private Property Act 2020, it has been stated that the State government would refer all the above cases to the Claims Tribunal which has been constituted in pursuance of the State legislation for further action in accordance with law. The State government would be at liberty to proceed in accordance with law under the legislation.
- 3 Since the orders which were issued in pursuance of the show cause notices have been withdrawn by the State of Uttar Pradesh, there shall be a refund of recoveries which have been made in the meantime. This will be without prejudice to the proceedings before and the decision of the Claims Tribunal.
- 4 The petition under Article 32 of the Constitution shall accordingly stand disposed of.
- 5 Pending applications, if any, stand disposed of.

(CHETAN KUMAR) A.R.-cum-P.S. (SAROJ KUMARI GAUR)
Court Master