

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 (C) No(s). 24515/2024

(Arising out of impugned final judgment and order dated 03-10-2024 in SCA No. 14215/2024 passed by the High Court of Gujarat at Ahmedabad)

AULIYA-E-DEEN COMMITTEE

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ORS.

Respondent(s)

(IA No.237435/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.237443/2024-EXEMPTION FROM FILING O.T. and IA No.237441/2024-PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

SLP(C) No. 24597/2024 (III)

(IA No.238254/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.238255/2024-EXEMPTION FROM FILING O.T.)

Date : 25-10-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Huzefa A. Ahmadi, Sr. Adv.
Mr. Nakul Dewan, Sr. Adv.
Mr. Md. Tahir M. Hakim, Adv.
Mr. Ejaz Maqbool, AOR
Mr. Nizam Pasha, Adv.
Ms. Aparajita Jamwal, Adv.
Mr. Saquib S. Ansari, Adv.
Mr. Saif Zia, Adv.

For Respondent(s) Mr. Tushar Mehta, Solicitor General
Mr. Gursharan H. Virk, Adv.
Ms. Deepanwita Priyanka, AOR
Mr. Kanu Agarwal, Adv.

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

1. Vide order dated 17.09.2024 passed in W.P. (C) No. 295/2022, this Court had directed thus:-

"1. As requested by Mr. Tushar Mehta, learned Solicitor General appearing for the respondent(s), list these matters on 01.10.2024 as first item.

2. Till the next date of hearing, we direct that there shall be no demolition anywhere across the country without seeking leave of this Court.

3. We further clarify that our order would not be applicable if there is an unauthorized structure in any public place such as road, street, footpath, abutting railway line or any river body or water bodies and also to cases where there is an order for demolition made by a Court of law."

2. Alleging contempt of the said order one contempt petition has already been filed before this Court being C.P.(c) No...@ Diary No.45534/2024. The said matter is kept for hearing on 11.11.2024, we direct that the instant petitions shall also be kept for hearing along with C.P.(c) No...@ Diary No.45534/2024 on 11.11.2024.

3. Learned Solicitor General appearing for the respondent(s) states that until further orders, the possession of the land in question shall remain with the Government and shall not be allotted to any third party.

4. In that view of the matter, we do not find that any interim orders are required to be passed.

5. We, however, clarify that the pendency of the present petition should not be construed as stay of the proceedings pending before the High Court and the High Court would be free to proceed with the petition(s) pending before it.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER