

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 5963 of 2023

Petitioner :- Uttar Pradesh State Industrial Development Authority And Another

Respondent :- M/S Solar Plastic And Packaging Pvt. Ltd. And Another

Counsel for Petitioner :- Mahesh Narain Singh, Nipun Singh

Counsel for Respondent :- Abhishek Pratap Singh

Hon'ble Jayant Banerji, J.

1. Heard Shri H.N. Singh, learned Senior Advocate assisted by Shri M.N. Singh, learned counsel for the petitioner nos.1 and 2. Shri S.S. Khullar, Authorised Representative and Shri Ayush Jain, Advocate for the respondents are present. Shri M.C. Chaturvedi, learned Senior Advocate assisted by Shri Nipun Singh, Advocate appear for the intervenors.

2. This petition was filed seeking the following reliefs:-

"(i) to issue an order or direction setting aside the impugned order dated 10.1.2013 (Annexure No.8) passed by the learned Additional District Judge/Special Judge (S.C./S.T. Act), Gautam Budh Nagar in Civil Revision No.3 of 2011 (Uttar Pradesh State Industrial Development Corporation Ltd. and another versus M/s Solar Plastic and Packaging Pvt. Ltd. and another) and the order dated 21.9.2010 (Annexure No.7) passed by the Additional Chief Judicial Magistrate/Additional Civil Judge (Senior Division) District Gautam Budh Nagar in Misc. Application No.13 of 2007 (Uttar Pradesh State Industrial Development Corporation Ltd. and another versus M/s Solar Plastic and Packaging Pvt. Ltd. and another);

(ii) to issue any other and further suitable order or direction which this Hon'ble Court may deem fit and proper on the facts and circumstances of the case;

(iii) to allow the present petition with costs."

3. It appears that execution proceedings were put into motion by the decree holder-respondents against the petitioners in which certain orders passed by the executing court and the revisional court were subjected to challenge in this petition. During pendency of this petition, negotiations have taken place

between the parties.

4. Pursuant to my previous order dated 12.10.2023, Shri H.N. Singh, learned Senior Advocate for the petitioners, states that three lease-deeds have been executed in favour of the plaintiff-respondents/decreed holders in respect of Plot Nos.D-255, D-243 and D-244 situate in Industrial E.P.I.P. Surajpur, Kasna and possession of the plots has already been handed over to the plaintiff-respondents/decreed-holders on 25.10.2023. The aforesaid fact is admitted by the Authorised Representative/Advocate of the respondents.

5. It is jointly stated by the parties that under the circumstances, firstly, the petition is rendered infructuous and, secondly, the decree stands satisfied in terms of the grant of the aforesaid lease-deeds and handing over of possession of the plots aforesaid.

6. The Authorised Representative/Advocate of the plaintiff-respondents/decreed-holders states that under the circumstances, no further *lis* remains between the parties and the decreed-holders shall forthwith move an application before the executing court for withdrawal of the execution proceedings.

7. In view of the aforesaid statements made, this petition is **disposed of.**

8. It is expected that when such an application for withdrawal of the execution proceedings is filed, the executing court shall proceed expeditiously to dispose of the same in accordance with law.

Order Date :- 26.10.2023
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(Jayant Banerji, J.)