

Court No. - 8

Case :- CIVIL MISC REVIEW APPLICATION No. - 141 of 2022

Applicant :- Prem Lata (Writ Petition No. 16716(M/S) Of 2017)

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Of Food And Civil Supply Lko. And 4 Others

Counsel for Applicant :- Anand Pal Singh

Hon'ble Pankaj Bhatia,J.

This is an application seeking review of the order dated 25.05.2022 passed in Writ C No. 16716 of 2017.

Heard learned counsel for the applicant.

The contention of the counsel for the applicant is that the applicant was a subsequent allottee and his allotment was subject to the outcome of the litigation, however, this Court has erred in rejecting the impleadment application whereas the impleadment application was allowed and a counter affidavit was also filed by the applicant.

In view of the said statement, prima facie, an error has crept in, in the order dated 25.05.2022 insofar as it rejects the impleadment application, however, the present application will not alter the final outcome of the writ petition as the allotment of the applicant was a contingent allotment and was only subject to the outcome of the writ petition, the petition was allowed on the grounds of violation of natural justice and on the ground that no show cause notice with regard to the allegation which led to the passing of the impugned order, was ever issued to the petitioner, thus the order dated 25.05.2022 is modified to the extent that the applicant, who was a contingent allottee would not alter the outcome of the litigation. The order dated 25.05.02022 is modified to the extent indicated above. The operative portion of the order shall stand as it is.

The application for review is ***disposed of.***

Order Date :- 29.11.2023

Arun