

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A. NOS.2,3,4,5 AND 6 WRIT PETITION (CIVIL) NO.47 OF 1998

NAVIN M. RAHEJA

Petitioner(s)

VERSUS

U.O.I. & ORS

Respondent(s)

(For directions, intervention/impleadment and office report)

Date: 04/04/2005 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

In-person

For Respondent(s)

Mr. Arvind Kumar Sharma,Adv.

Ms. A. Subhashini,Adv.

Mr. Aruneshwar Gupta,AAG.,Rajasthan.

Mr. Naveen Kumar Singh,Adv.

Ms. Shivangi,Adv.

Mr. Shailendra Sharma,Adv.

Ms. Anil Katiyar,Adv.

Mr. Ashok Mathur,Adv.

Mr. Rajesh Pathak,Adv.

Mr. Anis Suhrawardy,Adv.

Mr. Kumar Rajesh Singh,Adv.

Mr. B.B. Singh,Adv.

Ms. Hemantika Wahi,Adv.

Ms. Archana P. Khopde,Adv.

Ms. Kamini Jaiswal,Adv.

Ms. Shomila Bakshi,Adv.

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Mr. R.G. Padia,Sr.Adv.

Mr. Ashok Kumar Yadav,Adv.

Mr. Pradeep Misra,Adv.

for Mr. Pramod Dayal,Adv.

Mr. P. Parmeswaran,Adv.

Mr. Pradeep Misra,Adv.

Mr. R.S. Suri,Adv.

Mr. Tara Chandra Sharma,Adv.

Mr. T.V. Ratnam,Adv.

Mr. Rajeev Sharma,Adv.

Mr. A. Mariarputham,Adv.

Ms. Aruna Mathur,Adv.

for M/s. Arputham,Aruna & Co.,Advs.

Mr. R. Ayyam Perumal,Adv.

Mr. S. Vallinayagam,Adv.

Mr. Sewa Ram,Adv.

Ms. Kirti Mishra,Adv.

Mr. Satish K. Agnihotri,Adv.

Mr. Rohit K. Singh,Adv.

Mr. Amit Mishra,Adv.

Mr. S.W.A. Qadri,Adv.

Mr. D.S. Mahra,Adv.

Mr. Shakil Ahmed Syed,Adv.

Mr. Ranjan Mukherjee,Adv.

Mr. Sridhar Potaraju,Adv.

Mr. V.G. Pragasam,Adv.

Mr. Annam D.N. Rao,Adv.

Mr. J.S. Attri,Adv.

Mr. Gaurav Banerjee,AAG.,Uttaranchal.

Ms. D. Bharathi Reddy,Adv.

Mr. B. Vikas,Adv.

Mr. S.S. Shinde,Adv.

Mr. Mukesh K. Giri,Adv.

Mr. Ramesh Babu M.R.,Adv.

Mr. Khwairakpam Nobin Singh,Adv.

...3/-

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Mr. Anil Shrivastav,Adv.

Mr. Saurabh Shrivastava,Adv.

Mr. Sanjay R. Hegde,Adv.

Mr. Rajiv Mehta,Adv.

Ms. Mona,Adv.

Mr. B. Aggarwalla,Adv.

Mr. Sridhar Potaraju, Adv.
Mr. Sudhir Mishra, Adv.
Mr. G. Ramakrishna Prasad, Adv.

Mr. Manjeet Singh, Adv.
Mr. Harikesh Singh, Adv.
Mr. Harikishan Kataria, Adv.
Ms. Kavita Wadia, Adv.

Ms. Suparna Srivastava, Adv.
Mr. Rahul Srivastava, Adv.
Mr. Rajesh Srivastava, Adv.
Ms. Deepti Singh, Adv.

Mr. Sanjay Parikh, Adv.
Ms. Anitha Shenoy, Adv.

Mr. U. Hazarika, Adv.
Ms. Sumita Hazarika, Adv.
Mr. Satya Mitra, Adv.

Mr. R.K. Rathore, AAG., Pb.
Mr. Arun Kumar Sinha, Adv.

Mr. Manoj Saxena, Adv.
Mr. Mohan Prasad Meharia, Adv.
Mr. S.K. Mittra, Adv.
Mr. Debojit Borkakati, Adv.

UPON hearing counsel the Court made the following

O R D E R

Inspector

In the affidavit of Mr. Aseem Srivastav, Deputy
General (Wild Life), Government of India, Ministry of Environment and
Forests dated 17th August, 2004, for linking Kotdwar and Ramna
gar,
following route has been suggested:

"Kotdwar-Pakrao-Kikri Shrot-Bhogpur, Kuan Khera-Ram Ganga-Kalluwalla-Pili Dam- Patram Pur-Dhela Barrage Maldhan-Hathi Danger-Ramnagar."

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The area between Dhela Barrage Maldhan and Hathi Danger falls in the State of Uttar Pradesh. According to the Union of India, and agreed to by the State of Uttaranchal, any other route would pass through the National Park or close to the boundaries of the National Park which would result in dividing the National Park. A copy of the plan suggesting the route has been handed over to the learned counsel appearing for the State of Uttar Pradesh. We may also note that the State of Uttaranchal has agreed to abide by the conditions imposed by the Ministry for construction of the road in question. In regard to the area falling within the territory of Uttar Pradesh, the learned counsel appearing for the State of Uttaranchal states that the State Government would have no objection to undertake the plantation of such number of trees, as may be directed by this Court, having regard to the number of trees which may have to be cut from the area falling within the territory of the State of Uttar Pradesh. The State of Uttar Pradesh has not been able to suggest any other alternate linkage route which may meet the requirements of the environmental laws. The learned counsel appearing for the State of Uttar Pradesh prays for a short adjournment to take instructions.

We may, however, note that if the State of Uttar Pradesh has any other proposal, it shall hand it over to the learned counsel appearing for the Union of India and the State of Uttaranchal within one week.

List the matter after two weeks.

[T.I. Rajput]

Court Master

[Naresh Kumar]

Court Master