

ITEM NO.33

COURT NO.11

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 3633-3634 OF 1999

U.P.POLLUTION CONTROL BOARD

Appellant (s)

VERSUS

ANIL K. KARNWAL & ORS

Respondent(s)

(With appln(s) for exemption from filing O.T. and stay permission to submit additional document(s) and office report) and

WITH W.P(C) NO. 66 of 2007

(With appln.(s) for directions and office report)

W.P(C) NO. 67 of 2007

(With appln.(s) for stay and office report)

Date: 10/01/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Appellant(s) Mr.Ranjit Kumar, Sr.Adv.
Mr. Pradeep Misra, Adv.
Mr.Daleep Kumar Dhayani, Adv.

Dr. Sushil Balwada, Adv.

For Respondent(s) Mr.Rajeev Dutta, Sr.Adv.
Mr.M.Z.Chaudhary, Adv.
Mr.S.A.Zaidi, Adv.
Mr.Mehtab Ahmed, Adv.

For U.P.S.I.D.C. Ms.Reena Singh, Adv.
Mr.Devesh Kumar, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.

Mr.R.K.Gupta, Adv.
Mr.Rajiv Dubey, Adv.
Mr. Kamendra Mishra, Adv.

Mrs. Nandini Gore, Adv.

Mr. Ashok Kumar Sharma, Adv.
Mr.Avinash Kumar Jain, Adv.

Mr. Lakshmi Raman Singh, Adv.

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Mr. P.K. Manohar, Adv.

Mr. Anil Kumar Jha, Adv.

Mr.Anil Karnwal, Adv.
Mr. Chander Shekhar Ashri, Adv.

Ms. Anu Mohla, Adv.

Mr. Varinder Kumar Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

On 29.11.2010, learned senior counsel representing the State had made a submission that modalities for transfer of the acquired land to the Uttar Pradesh State Industrial Development Corporation (for short, 'the Corporation') have been finalised and Hapur Pilkhuwa Development Authority will transfer the land to the Corporation within a period of two weeks.

Shri R.K.Gupta, learned counsel appearing for the Hapur Pilkhuwa Development Authority has today produced xerox copies of some documents dated 8.1.2011 to show that 82.51 hectares of land comprised in four villages has been transferred to the Corporation. Learned counsel for the Corporation says that actual possession of the land has so far not been handed over to her client. This shows that the functionaries of Hapur Pilkhuwa Development Authority have failed to comply with the undertaking given before the Court on 29.11.2010.

The manner in which the concerned authorities have been conducting themselves leaves much to be desired. The failure of the Hapur Pilkhuwa Development Authority to transfer the land to the Corporation prima facie amounts to contempt of this Court.

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Let notice be issued to the Vice-Chairman of the Hapur Pilkhuwa Development Authority to show cause as to why he may not be punished for having failed to act in accordance with the undertaking given before this Court on 29.11.2010.

Let the concerned officer appear in person and also file an affidavit within two weeks.

List the cases on 07.02.2011.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master