

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 5440 OF 2000

HARI RAM & ANR.

Appellant (s)

VERSUS

STATE OF HARYANA & ORS.
(With office report)

Respondent(s)

WITH

Civil Appeal NO. 5442 of 2000

(With appln. for bringing on record additional documents and exemption from filing O.T and with office report)

Civil Appeal NO. 5443 of 2000

(With appln. for exemption from filing O.T. and with office report)

Civil Appeal NO. 5444 of 2000

(With office report)

Civil Appeal NO. 5441 of 2000

(With office report)

Civil Appeal NO. 5445 of 2000

(With office report)

Civil Appeal NO. 5449 of 2000

(with office report)

Civil Appeal NO. 5446 of 2000

(With office report)

Date: 01/04/2008 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s) Mr. Harinder Mohan Singh, Adv.

In CAs.5440,5541/2000

In CAs.5442,5443, Mr. R.K. Kapoor, Adv.

5449/2000 Mr. Mukesh Kumar Verma, Adv.

Ms. Shweta Kapoor, Adv.

Mr. Anis Ahmed Khan, Adv.

CA 5440/2000 Etc....contd....(It. 101,Ct. 7,Dt. 01.4.2008)

..2/-

:2:

In CAs.5444,
5445/2000

Mr. Aseem Mehrotra, Adv.

Ms. Shefali Jain, Adv.

Mr. Abhijat P. Medh, Adv.

In CA 5446/2000

Mr. U.S. Prasad, Adv.

For Respondent(s) Mr.T.V.George,Adv.

UPON hearing counsel the Court made the following
ORDER

Pursuant to our order dated March 13, 2008, an additional affidavit has been filed by the Commissioner and Secretary to Government of Haryana (Town & Country Planning and Urban Estates Department) wherein it was admitted

that as asserted by the petitioners in some cases, after refusal by the Committee to release the property and even after the dismissal of writ petitions, certain properties were released. It was, however, stated that the Government took into consideration all the facts and circumstances and as per the reports received from concerned field officer, decided each case on its own merits. It was, therefore, stated that the Government had not acted in a partisan, arbitrary and biased manner. It was incorrect to allege, stated the deponent, that the Government had adopted pick and choose criteria while releasing the land to certain land owners.

With regard to the allegations of the petitioners that in certain cases properties on left as well as on right were released but the middle property was not released, the deponent had to say that no reply could be given in the absence of details of land i.e. Khasara No. of the land owners.

In our opinion, in the light of what was admitted by the deponent in the affidavit in reply on behalf of

CA 5440/2000 Etc....contd....(It. 101,Ct. 7,Dt. 01.4.2008)

:3:

the Government it would be appropriate if we direct the learned counsel for the respondents to call a responsible officer who may be able to give him instructions in the Court along with the relevant files so as to enable this Court to consider as to how actions have been taken particularly after refusal by the Committee and also dismissal of writ petitions by the High Court. The respondent authorities will also produce the layout plans relating to Mini Urban Estates, Sector-1, Narnaul.

List after four weeks as part heard.

[Usha Bhardwaj]
Court Master

[Vijay Dhawan]
Court Master