

è&

W.P(C)No. 150 OF 1997

ITEM No.302

Court No. 2

SECTION PIL
A/N MATTER

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

Writ Petition(Civil) No.150/1997

NOIDA ENTREPRENEURS ASSOcn.

Petitioner (s)

VERSUS

N O I D A & O R S

Respondent (s)

(With Appln(s). for directions and office report)
(Alongwith enquiry report submitted by Sh.A.P.Singh, Chairman,
Board of Revenue, U.P., Lucknow.)

With

W.P(C)No.529/1998

Date : 19/01/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.P. BHARUCHA
HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI

For Petitioner (s) Mr. Rajeev Dhawan, Sr.Adv. (A.C.)
Mr. Nikhil Nayyar, Adv. (A.C.)
Mr. Dayan Krishnan, Adv. (A.C.)

Mr. P.P. Rao, Sr.Adv.

Mr. E.C. Vidya Sagar, Adv.

in WP 529/98: Mr. R.K. Jain, Sr.Adv.
Ms. Manjula Gupta, Adv.

For Respondent (s) Mr. Rakesh Dwivedi, Sr.Adv.
Mr. Gopal Balwant Sathe,Adv.

For Res.No.7-
Neera Yadav: Dr. A.M.Singhvi, Sr.Adv.
Mr. Alok Krishna Agarwal, Adv.
Mr. Bharat Sangal,Adv.

Ms. Sangeeta Kumar,Adv.

For res.No.8: Mr. S.C. Agarwala, Sr.Adv.
Mr. Ejaz Maqbool,Adv.
Mr. B.K. Mishra, Adv.

...2/-

.PA

-2-

For State of UP: Mr. Ajay K. Agrawal, Adv.
Mrs. Alka Agrawal, Adv.

For C.B.I. : Mr. Altaf Ahmed, A.S.G.
Mr. A.D.N. Rao, Adv.
Mr. P. Parmeswaran, Adv.

UPON hearing counsel the Court made the following
O R D E R

....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

I.A.No.9/2000 in W.P.(C) No.150/97 is dismissed.

We have heard the learned Amicus Curiae and learned counsel.
Mr. Altaf Ahmed, learned Additional Solicitor General
appearing for the C.B.I., states that the C.B.I. report, on
completion of investigations, shall be filed within twelve weeks from
today.

In regard to the action taken by the State of U.P. on the
various reports that we shall mention, learned counsel appearing for
the State of U.P. states that he has no instructions. We find it
strange, having regard to the on-going proceedings, that he should not
have been given instructions and that he did not seek them. We direct
the State of U.P. to state, on affidavit, the present position in
respect of:

- (1) the departmental enquiry against the 7th respondent,
- (2) the action taken or proposed to be taken on the reports
of the Chairman of the Board of Revenue,
- (3) its stand on the report of the Lok Ayukta and the action,
if any, taken pursuant thereto.
- (4) the action taken on the report of Justice Murtaza
Hussain.

..3/-

.PA

-3-

The affidavit shall be filed by the Secretary of the relevant depart-
ment of the State within eight weeks from today.

NOIDA is directed to explain, on affidavit, the procedure it
has followed in respect of the cancellation of allotments and why it
appears to have followed a different procedure in respect of some
allottees. This affidavit shall be filed within eight weeks.

The office report dated 16th January, 2001 states that the
letter of the Registry of this Court dated 12th May, 2000 addressed to
the Chief Secretary of the State of U.P. was returned with the postal
remark "Refused to take the envelope, hence returned". In the
affidavit which we have directed the concerned Secretary of the State
of U.P. to make, an explanation in this behalf shall be furnished.
Hereafter all service in these proceedings upon the State of U.P.
shall be made upon the standing counsel of the State of U.P. in this
Court.

List the matter on 4th May, 2001 for directions.

.SP1

(N. Annapurna)
Court Master

(Shelly Sengupta)
Court Master