

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.19-24 IN CIVIL APPEAL NO(s). 2905-2906 OF 2005

DR. G. HARAGOPAL & ORS

Appellant (s)

VERSUS

SOUTH CENTRAL RAILWAY & ORS.

Respondent(s)

(With appln(s) for impleadment, permission to develop YSR Park and office report)

Date: 10/09/2010 These Appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE H.L. GOKHALE

For Appellant(s) Mr. Colin Gonsalves, Sr. Adv.
Ms. Jayshree Satpute, Adv.
Ms. Jyoti Mendiratta, Adv.

For Respondent(s) Mrs.D. Bharathi Reddy, Adv.

Mr. Nikhil Nayyar, Adv.
Mr. T.V.G.R. Sreyas, Adv.
Mr. Swapnil Verma, Adv.

Mr. Ashok Bhan, Adv.
Ms. Sadhana Sandhu, Adv.
Ms. Shweta Verma, Adv.
Mr. A.K. Sharma, Adv.
Mr. B. Krishna Prasad, Adv.

Mr. K. Ram Kumar, Adv.

Mr. Gopal Subramaniam, SG
Mr. Annam D.N. Rao, Adv.

Mr. Sridhar Potaraju, Adv.

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

I.A. NOS.21-22 of 2010

These IAs filed by 'Forum For a Better Hyderabad'

for impleading shall be considered alongwith the main appeal.

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I.A. NOS. 19-20 of 2010

These IAs filed by the Hyderabad Metropolitan

Development Authority (HMDA for short) for impleading,

are allowed and HMDA is ordered to be impleaded as respondents.

HMDA has filed these applications seeking permission to develop and establish Dr. Y.S.R. Memorial Park on the vacant plot adjacent to Imax Theatre and the open land known as Lake View Park, with three over flowing ponds fed by the nearby treatment plant opposite the Imax theater (I.A. Nos.23-24/2010). It is stated

that the Memorial Park would cover an area of about 21 acres. The applicant has also produced the conceptual design of the Park as an Annexure to the I.A.

The appellant had filed a detailed reply to the application objecting to the project.

By interim order dated 25.4.2005, this Court directed that pending disposal of the appeal, no further construction shall be carried out except with leave obtained from this Court in, on or around the lake. By

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the said order dated 25.4.2005, while directing prohibition of constructions, this Court also constituted an Expert Committee comprising of Mr. H. Rajamani, former Secretary, Ministry of Environment & Forests; the Head of NEERI, Hyderabad and Mr. R. Sagar Dhara, Cerena Foundation, Consultant UNEP to examine the various environmental/pollution aspects in regard to the Hussain Sagar Lake. The said Committee has submitted its Inspection Report.

On the facts and circumstances and having regard to the technical issues involved, we are of the view that the opinion of the said Expert Committee, would be of

valuable assistance for taking a decision on the said applications.

We, accordingly, request the said Expert Committee to consider the entire proposal and give its report preferably within two months from today. For this purpose, the applicant HMDA shall file before the said Committee copies of (i) its application with annexures; (ii) the reply affidavit filed by the appellants; and (iii) a copy of this order, so as to enable the Expert Committee to effectively examine the matter and submit

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its report. HMDA shall extend the necessary assistance to the Committee to complete its report and bear their expenses.

List after two months.

C.A. NOS. 2905-2906 of 2005

By order dated 25.4.2005, this Court withdrew W.P. No.25073/2003 from the High Court for disposal by this Court. The Registry to place a report as to the present status of the said transferred petition.

The State Government is directed to place an upto date status report about the steps taken by it to preserve, maintain the Lake and its surroundings and to save it from further encroachments and pollution. The State also submit whether the various memorials in and around the lake can be integrated into a single unit for convenience of effective management.

List after two months.

(Ravi P. Verma)
Court Master

(M.S. Negi)
Court Master