

S
C.A.No. 6767 OF 2002

ITEM No.102

Court No. 6

SECTION XIV

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. 6767 of 2002

DELHI DEVELOPMENT AUTHORITY

Appellant (s)

VERSUS

BALI RAM SHARMA & ORS. Respondent (s)

With Civil Appeal No. 6768 of 2002
(With prayer for interim relief and office report)

Civil Appeal Nos. 6769-6771 of 2002
(With office report)

Civil Appeal No. 6772 of 2002

Civil Appeal No. 6774 of 2002

Civil Appeal No. 6773 of 2002

Civil Appeal No. 6775 of 2002

Civil Appeal No. 6778 of 2002

Civil Appeal No. 6777 of 2002

Civil Appeal No. 6776 of 2002

Civil Appeal Nos. 6780-6784 of 2002

Civil Appeal No. 6779 of 2002

Civil Appeal No. 6786 of 2002

Civil Appeal No. 6785 of 2002

Civil Appeal No. 6787 of 2002

..2/-

S.L.P. (C) No...../2004 (CC 6023/2002)
(With appln.(s) for c/delay in filing SLP)

S.L.P. (C) No...../2004 (CC 6031/2002)
(With appln.(s) for c/delay in filing SLP)

S.L.P. (C) No. 22439 of 2002
(With appln.(s) for c/delay in filing SLP and office report)

S.L.P. (C) No. 4873 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

Civil Appeal No. 2297 of 2003
(With office report)

S.L.P. (C) No. 8906 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 9157 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

Civil Appeal No. 4117 of 2003

Civil Appeal No. 4157 of 2003
(With office report)

S.L.P. (C) No. 12247 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 12246 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 12527 of 2003
(With appln.(s) for bring L.R.s on record and prayer for interim relief)

S.L.P. (C) No. 14717 of 2001
(With prayer for interim relief and office report)

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S.L.P. (C) No. 11293 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11294 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11295 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11296 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11297 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11298 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11299 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11300 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11302 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11885 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11888 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11882 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

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Civil Appeal No. 5266 of 2003

S.L.P. (C) 11336 of 2003

S.L.P. (C) No. 11711 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11714 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11715 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 11727 of 2003
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

Civil Appeal No. 6923 of 2003

Civil Appeal No. 8515 of 2003
(With prayer for interim relief and office report)

Civil Appeal No. 8516 of 2003
(With prayer for interim relief)

Civil Appeal No. 8932 of 2003
(With prayer for interim relief and office report)

Civil Appeal No. 8933 of 2003
(With prayer for interim relief)

Civil Appeal No. 8934 of 2003
(With prayer for interim relief)

Civil Appeal No. 8935 of 2003
(With prayer for interim relief)

Civil Appeal No. 8936 of 2003
(With prayer for interim relief)

Civil Appeal No. 8938 of 2003
(With prayer for interim relief)

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Civil Appeal No. 31 of 2004
(With prayer for interim relief)

Civil Appeal No. 32 of 2004
(With prayer for interim relief and office report)

Civil Appeal No. 135 of 2004

S.L.P. (C) No. 2664 of 2004
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 2665 of 2004
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 2666 of 2004
(With appln.(s) for c/delay in filing SLP and prayer for interim relief)

S.L.P. (C) No. 8193 of 2004
(With appln.(s) for c/delay in filing SLP and office report)

Civil Appeal No. 4204 of 2004-(With office report)

Date : 20/07/2004 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Mukul Rohtagi,Sr.Adv.
Mr. V.B. Saharya,Adv.
Mr. Gaurav Sareen, Adv.
for M/s. Saharya & Co.,Advs.

Mr. H.L. Agrawal,Sr.Adv.
Mr. D.S. Mahra,Adv.

Mr. N.N. Goswami,Sr.Adv.
Ms. Indra Sawhney,Adv.
Mr. Mushtaq Ahmed,Adv.
Ms. Rekha Pandey,Adv.
Ms. Anil Katiyar,Adv.

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For Respondent (s)Mr. Dhruv Mehta,Adv.
Mr. Om Prakash,Adv.
Mr. Mohit Chaudhary,Adv.
Ms. Shalini Gupta,Adv.
Mr. S.K. Mehta,Adv.
for M/s. K.L. Mehta & Co.,Advs.

Mr. R.C. Kaushik,Adv.

Mr. Nitin Bharadwaj,Adv.
Mr. Prakash Shrivastava,Adv.

Mr. Uma Datta,Adv.

in SLP(C)14717/01Mr. A.B. Rohtagi,Sr.Adv.
Mr. R.C. Verma,Adv.
Mr. Mukesh Verma,Adv.

Mr. Debasis Misra,Adv.

Mr. Praveen Swarup,Adv.

Ms. Shobha,Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. N.N. Goswami, learned senior counsel for the Union of India, made his submissions from 12.45 p.m. to 12.55 p.m. Thereafter, Mr. Mukul Rohtagi, learned senior counsel for the Delhi Development Authority, commenced his arguments and concluded at 2.55 p.m. Mr. H.L. Agrawal, learned senior counsel appearing for the appellant in Civil Appeal No. 6774 of 2002, adopted the arguments of Mr. Mukul Rohtagi, learned senior counsel. Thereafter, Mr. Dhruv Mehta, learned c

counsel for the respondents in Civil Appeal Nos 6767 of 2002, commenced his arguments and was on his legs when the court rose for the day.

The matters remained part-heard.

Sarita [T.I. Rajput] [Shelly Sengupta]
Court Master Court Master

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ITEM No.101 (Part-Heard) Court No. 6 SECTION XIV

DATE : 21ST JULY, 2004

CORAM AND APPEARANCE: AS OF 20TH JULY, 2004 except the names of Mr. Shankar Diwate & Mr. Sumit Bansal, Adv. for the respondents in SLP(C)Nos. 11294 to 11296 of 2003 and Ms. Suruchii Agarwal, Adv. for respondents in SLP(C) 8193/2004.

Mr. Dhruv Mehta, learned counsel, resumed his arguments at 11.10 a.m. and concluded at 12.50 p.m. Mr. N.N. Goswamy, learned senior counsel for the Union of India, made his submissions for few minutes.

C.A.Nos. 6767, 6768, 6769-71, 6772, 6774, 6773, 6775, 6778, 6777, 6776, 6780-84, 6779, 6786, 6785, 6787 of 2002, SLP...CC 6023 & 6031 of 2002, SLP(C)No.22439 of 2002, SLP(C)Nos.4873, 9157, 12247, 11885, 11888, 11882, 11336, 11711, 11714, 11715, 11727 of 2003, C.A.Nos.5266, 2297,4157, 6923, 8515, 8516, 8932, 8933, 8934, 8935, 8936, 8938 of 2003, C.A. Nos. 31, 32 and 135 of 2004 & SLP(C)2664/2004:

Heard.

Mr. Dhruv Mehta, learned counsel accepts notice on behalf of the respondents in SLP(C)4873 of 2003 also.

Ms. Shobha accepts notice in SLP(C)Nos./2002 (CC 6023 and 6031 of 2002) also and undertakes to file vakalatnama.

Judgment reserved.

SLP(C)No.11293/2003:

There is a delay of 565 days in filing the special leave petition. There is no satisfactory explanation for this inordinate delay. The special leave petition is dismissed on the ground of delay.

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SLP(C)No.14717/2001:

Mr. A.B. Rohtagi, learned senior counsel for the petitioners states that in view of the dismissal of SLP(C)No.11293/2003 filed by the Union of India, the petitioners do not wish to press this petition. The special leave petition is accordingly dismissed.

SLP(C)Nos.11294 & 11296/2003:

There is delay of 551 and 565 days delay in filing these special leave petitions. There is no proper explanation for condoning such inordinate delay. Further, in the light of the order of this Court made in C.A.No.9147 of 1995 dated 12th November, 2002, we are not inclined to interfere with the impugned order. Hence, the special leave petitions are dismissed.

SLP(C)No.12527/2003 :

Delay in filing substitution application is condoned.

Substitution application is allowed.

Mr. Uma Datta, learned counsel accepts notice for LRs.Nos.1,3,4 & 5 of deceased respondent No. 2.

Issue notice to the remaining respondents.

SLP(C)No.8193/2004 :

It is submitted by the learned counsel for the respondents that respondent No.1, Richhpal has died long back. The petitioner has to take fresh steps within four weeks.

SLP(C)Nos.8906, 12246, 11297, 11298, 11299, 11300 & 11302 of 2003 and C.A.Nos. 4117/2003 & 4204/2004 :

Adjourned.

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S.L.P. (C)Nos. 11295/2003, 2665/2004 and 2666/2004 :

Issue fresh notice.

Mr. Dhruv Mehta, learned counsel, accepts notice on behalf of the unserved respondents in these matters.

List the matters, i.e., SLP(C)Nos.12527/2003, 8193/2004, 8906, 12246, 11297, 11298, 11299, 11300, 11302, 11295 of 2003, 2665 & 2666/2004 and C.A.Nos. 4117/2003 & 4204/2004 after service is complete.

Sarita[T.I. Rajput][Shelly Sengupta]
Court Master Court Master