

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

Writ Petition(s)(Civil) No(s). 188/2004

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA . & ORS.

Respondent(s)

([ONLY I.A. NOS.141055, 141059, 167937, 87335, 167941 OF 2018 AND 80958,143211 OF 2021 IN T.C.(C) NO.2 OF 2004, I.A. NOS.75467, 112751 OF2020 AND 33106 OF 2019 IN W.P.(C) NO.188 OF 2004 AND C.A. NOS.3134-43137 OF 2017 ON 14.02.2023.I.A. Nos.145178/2019 and 131614/2020 and I.A. No.42747 of 2021in T.C. (C) No.2/2004 and Contempt Petition No.942 of 2021 inT.C.(C) No.2/2004 shall also be listed on that day.

IA No. 112751/2020 - APPLICATION FOR PERMISSION

IA No. 33106/2019 - APPLICATION FOR PERMISSION

IA No. 75467/2020 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

T.C.(C) No. 2/2004 (XVI-A)

(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 79102/2020

FOR APPLICATION FOR PERMISSION ON IA 80258/2020

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 80260/2020

FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 80264/2020

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 42747/2021

FOR INTERVENTION APPLICATION ON IA 147184/2021

FOR EXEMPTION FROM FILING O.T. ON IA 147185/2021

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 147187/2021

FOR EXEMPTION FROM FILING O.T. ON IA 147188/2021

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 158706/2021

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 62749/2022

IA No. 80258/2020 - APPLICATION FOR PERMISSION

IA No. 80260/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 62749/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 79102/2020 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 147187/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 42747/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 80264/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 147188/2021 - EXEMPTION FROM FILING O.T.

IA No. 147185/2021 - EXEMPTION FROM FILING O.T.

IA No. 147184/2021 - INTERVENTION APPLICATION

IA No. 158706/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 3134-3137/2016 (IV)

)

CONMT.PET.(C) No. 942/2021 in T.C.(C) No. 2/2004 (XVI-A)

(FOR ADMISSION)

Date : 28-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s)

Ms. Suruchi Aggarwal, Sr. Adv.
Mr. Manish Kumar Vikkey, Adv.
Mr. Pankaj Kumar Mishra, AOR
Mr. Prashant Chauhan, Adv.

Mr. Bhargava V. Desai, AOR
Mr. Rahul Gupta, Adv.
Ms. Pallavi Maurya, Adv.
Ms. Devina Bhandari, Adv.

Mr. Ranjan Mukherjee, AOR

For Respondent(s)

Ms. Meenakshi Arora, Sr. Adv.
Ms. Ishita Farsaiya, Adv.
Mr. Siddharth, AOR
Ms. Anu Srivastava, Adv.
Mr. Kartik Jasra, Adv.
Mr. Amit Kumar Agrawal, Adv.

Mr. Jatinder Kumar Sethi, D.A.G./AOR
Mr. Ashutosh Kumar Sharma, Adv.
Mr. J.K. Bhatia, Adv.
Mr. Himanshu Sethi, Adv.

Mr. Shailendra Bhardwaj, AOR
Mr. Ranjan Mukherjee, AOR
Mr. Somnath Mukherjee, AOR
Mr. Pankaj Kumar Mishra, AOR
Mr. Surya Kant, AOR
Mr. Shubham Bhalla, AOR

Ms. Suruchi Agarwal, Sr. Adv.
Mr. Viraj Kadam, Adv.
Mr. Prashant Chaudhuri, Adv.
Mr. Soumya Dutta, AOR

Mr. Harpal Singh Saini, Adv.
Mr. M. C. Dhingra, AOR
Mr. Gaurav Dhingra, Adv.
Mr. Vikrant Yadav, Adv.
Ms. Vijay Laxmi, Adv.

Ms. Ranjeeta Rohatgi, AOR

Ms. Varsha Singh Chaudhry, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. Akhileshwar Jha, Adv.
Mr. Narendra Pal Sharma, Adv.
Ms. Kajal Kumari, Adv.
Mr. Ravish Kumar Goyal, Adv.
Mr. Amit Kumar Chawla, Adv.
Mr. Kusum Chaudhary, AOR

Ms. Chitra Markandaya, AOR
Mr. R. Gopalakrishnan, AOR
Mr. B. K. Pal, AOR
M/S. Ap & J Chambers, AOR
Mr. Arun K. Sinha, AOR
Mr. S. Ravi Shankar, AOR
Mr. A. P. Mohanty, AOR
Mr. Alok Gupta, AOR

Mr. Rameshwar Prasad Goyal, AOR
Dr. Surender Singh Hooda, AOR
Mr. Ashwani Kumar, AOR
Ms. Shalu Sharma, AOR
M/S. K J John And Co, AOR

Ms. Vandana Sehgal, AOR

Mr. Ashok Kumar Singh, AOR
Mr. Shantwanu Singh, Adv.
Ms. Pragya Singh, Adv.
Mr. Sunny Singh, Adv.
Mr. Akshay Singh, Adv.

Mr. Abhijit Sengupta, AOR
Mr. K. S. Rana, AOR

Ms. Minakshi Vij, AOR
Akshay Yadha, Adv.

Mr. Raj Bahadur Yadav, AOR
Mr. Shashank Bajpai, Adv.
Mr. R R Rajesh, Adv.
Mrs. Swarupma Chaturvedi, Adv.
Mr. Raghav Sharma, Adv.
Mr. Prashant Singh Ii, Adv.

Mr. Yash Pal Dhingra, AOR

Mr. Sanyat Lodha, AOR
Mr. Jagjit Singh Chhabra, AOR
Mr. Shashibhushan P. Adgaonkar, AOR
Mr. Mohit D. Ram, AOR

Ms. Ranjeeta Rohatgi, AOR

Mr. Subhasish Bhowmick, AOR
Mrs. Tanuj Bagga Sharma, AOR
Dr. Surender Singh Hooda, AOR

Ms. Bina Madhavan, Adv.
Mr. Eeshan D. Khaire, Adv.
Mr. Katubadi Ismail, Adv.
M/S. Lawyer S Knit & Co, AOR

Mr. Aditya Soni, AOR

Mr. P. N. Puri, AOR

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

I.A. NO.141055/2018

1. This application has been filed with the following prayers:-

“(a) The order dated 11.07.2018 passed by this Committee may please be confirmed.

(b) Sale deed dated 26.06.2000 executed by the company in favour of Karan Singh & Satpal Singh for 44 Kanals may please be confirmed.

(c) Allow the Committee to transfer remaining 44 Kanals to Harpal Singh & Jaipal Singh by way of issuing sale certificate as full consideration was received by the company.”

2. In view of the order passed by the Committee, this application is allowed in terms of prayer clauses (a) to (c), quoted above.

I.A. NO.80958/2021

1. This application has been filed with the following prayer:-

“(a) The order dated 06.06.2019 passed by this Committee may please be confirmed.”

2. The application is allowed in terms of prayer clause (a), quoted above.

I.A. NO.143211/2021

1. This application has been filed with the following prayer:-

“(a) The order dated 16.09.2019 passed by this Committee may please be confirmed.”

2. The application is allowed in terms of prayer clause (a), quoted above.

IA NO.131614/2020

1. The instant application is for modification of the order of this Court dated 14.01.2020.

2. The statement of the learned counsel appearing for the State of Uttarakhand, made on 14.01.2020, is taken on record, which reads thus:-

“It was stated by the learned counsel appearing for the State of Uttarakhand that the Uttarakhand Authorities are proceeding to take up the matter of Urban Land Ceiling Act, it is assured on behalf of the learned counsel that no final orders are going to be passed without the permission of this Court.”

3. Mr. Jatinder Kumar Sethi, learned Dy. A.G. for the State of Uttarakhand, submits that in view of the statement taken on record, though the proceedings have reached finality, the authorities of State of Uttarakhand are not in a position to pass final orders.

4. We see no reason to prevent the authorities of State of Uttarakhand in passing final orders.

5. The authorities of State of Uttarakhand are permitted to pass orders, in accordance with law.

6. We, however, clarify that status quo with regard to possession shall be maintained by the parties, until further orders are passed.

7. The application is, accordingly, disposed of.

REST OF THE MATTERS

List on 25.04.2023

**(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS**

**(ANJU KAPOOR)
COURT MASTER (NSH)**