

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9389/2005

(From the judgement and order dated 25/11/2004 in CWP No. 346/1987 of the HIGH COURT OF DELHI AT N. DELHI)

OM PARKASH

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH

Special Leave Petition (C) No.9498/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.10871/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.18087/2005

(With prayer for interim relief)

Special Leave Petition (C) No.21662/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.23338/2005

(With appln.(s) for c/delay in filing & refiling SLP and office report)

Special Leave Petition (C) No.22607/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.22867/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.22722/2005

(With prayer for interim relief and office report)

-2-

Special Leave Petition (C) No.22953/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.23339/2005

(With appln. for c/delay in filing SLP and office report)

Special Leave Petition (C) No.22971/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.23083/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.23390/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.24910/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.24934/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.25103/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.25119/2005

(With prayer for interim relief and office report)

Special Leave Petition (C) No.25141/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.25417/20051
(With prayer for interim relief and office report)

Special Leave Petition (C) No.25436/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.25440/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.25786/2005
(With appln. for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.25787/2005
(With office report)

Special Leave Petition (C) No.25789/2005
(With appln. for c/delay in filing and refiling SLP and office report)

Special Leave Petition (C) No.25790/2005
(With appln. for c/delay in filing and refiling SLP and office report)

-3-

Special Leave Petition (C) No.25792/2005
(With appln. for c/delay in filing and refiling SLP and office report)

Special Leave Petition (C) No.25794/2005
(With appln. for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.25795/2005
(With appln. for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.25895/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.25168/2005
(With prayer for interim relief)

Special Leave Petition (C) No.1621/2006
(With appln. for c/delay in filing and refiling SLP and office report)

Special Leave Petition (C) No.1608-1610/2006
(With appln. for c/delay in filing and refiling SLP and office report)

Special Leave Petition (C) No.25836/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.1611/2006
(With appln. for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.1612/2006
(With appln. for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.1613/2006
(With appln. for c/delay in filing and refiling SLP and office report)

Special Leave Petition (C) No.1614/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.1616/2006
(With appln.(s) for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.1617/2006
(With appln.(s) for c/delay in refiling SLP and office report)

Special Leave Petition (C) No.26418/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.26431/2005
(With appln.(s) for permission to place addl. facts and grounds and exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)

-4-

Special Leave Petition (C) No.26738/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.1618/2006
(With appln. for c/delay in filing and refiling SLP and office report)

Special Leave Petition (C) No.26537/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.26881/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.26900/2005
(With prayer for interim relief and office report)

Special Leave Petition (C) No.1619/2006
(With appln. for c/delay in filing/refiling SLP and office report)

Special Leave Petition (C) Nos.....CC 553, 711, 757, 779, 803, 850, 906, 928, 963 & 993 of 2006 & 1003 of 2008
(With appln(s). for c/delay in refiling SLP and office report)
with I.A.No.1 In & Special Leave Petition (C) Nos.....CC 1931 of 2007(for permission to file SLP and

with prayer for interim relief and office report)

Special Leave Petition (C) No.1874/2006, 4075/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.4164/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.4642/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.6077/2006
(With appln. for c/delay in filing SLP and office report)

Special Leave Petition (C) No.6078/2006
(With appln. for c/delay in filing SLP and with prayer for interim relief and office report)

Special Leave Petition (C) No.6016/2006
(With appln. for c/delay in filing SLP and with prayer for interim relief and office report)

Special Leave Petition (C) No.6089/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.6069/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.7483/2006
(With prayer for interim relief and office report)

-5-

Special Leave Petition (C) No.8261/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.11240/2006
(With office report)

Special Leave Petition (C) No.6138/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.6140/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.13138/2006
(With prayer for interim relief and office report)

Special Leave Petition (C) No.15800/2006
(With appln. for permission to file additional documents on record)

and with prayer for interim relief and office report)

Special Leave Petition (C) No.15804/2006

(With appln. for permission to place addl. documents on record and with prayer for interim relief and office report)

Special Leave Petition (C) No.258/2007

(With appln. for c/delay in filing SLP and office report)

Special Leave Petition (C) No.12932/2007

(With appln. for permission to place addl. documents on record and with prayer for interim relief and office report)

Date: 11/03/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) in
SLPs 9389, 10871,
22953,23338 & 23339
of 2005 |
2005

Mr. P.N. Lekhi, Sr.Adv.
Mr. N.S. Vasisht, Adv.
Mr. Vishal Singh, Adv.
Ms. Kanchan Kaur Dhodi,Adv.

-6-

SLPs.25103,25119, |
25141,25147,25436 &
25440 of 2005 |

Mr. Anurag Chawla, Adv.
Mr. M.K. Verma, Adv.
Mr. Kishan Dutt, Adv.
Mr. M.K. Garg, Adv.

CC 553,711,757, |
779,803,850,906, |
928,963,993 of 2006 |

Mr. Arun K. Sinha, Adv.
Mr. Rakesh Singh, Adv.
Mr. Mukesh Kumar Sinha, Adv.
Mr. Anurag Chawla, Adv.

SLP 258/07 |

Mr. Arun Kr. Sinha, Adv.
Mr. Rakesh Singh, Adv.
Mr. Mukesh Kumar Sinha, Adv.

SLPs.25786,25789 |
25790,25792,25794/05
1621,1608-10,1611- |
1614,1616-1619, |
4075,4164,4642,6077,
6078,6016,6089,6069
of 2006 |

Mr. Mukul Rohatgi,Sr. Adv.
Mr. N.S. Vashisht, Adv.
Mr. Rakesh Singh,Adv.
Mr. Mukesh Kumar Sinha,Adv.
Mr. Arun K. Sinha, Adv.
Mr. Vishal Singh, Adv.

SLP 12932/07:

Mr. Ravinder Sethi, Sr.Adv.
Mr. Buddy A. Ranganadhan, Adv.
Mr. A.V. Rangam, Adv.

SLP 24910/05:

Mr. Amit Sibal, Adv.
Mr. M.R. Shamshad, Adv.
Mr. Parmanand Gaur, Adv.

SLP 25895/05:

Mr. M.R. Calla, Sr.Adv.
Mr. Mukul Kumar,Adv.

Ms. Charu Mathur, Adv.
Mr. P.D. Sharma, Adv.

SLP 22867/06:

Mr. Anil K. Kher, Sr. Adv.
Mr. Kapil Kher, Adv.
Mr. Bhargava V. Desai, Adv.
Mr. Rahul Gupta, Adv.
Ms. Reema Sharma, Adv.

-7-

Mr. Arunabh Chowdhury, Adv.
Mr. Kashi Visheshwar, Adv.
Mr. Anupam Lal Das, Adv.
Mr. Arun K. Sinha, Adv.

Mr. Rajiv Dutta, Sr. Adv.
Mr. Uday Gupta, Adv.
Mr. S.B. Sharma, Adv.
Ms. Shivani Lal, Adv.
Mr. Dharmender Kumar Sinha, Adv.

Ms. Surnehi Aggrawal, Adv.

Ms. Binu Tamta, Adv.

Mr. M.P. Shorawala, Adv.

Mr. Mukul Gupta, Adv.

Mr. Dhruv Mehta, Adv.
Mr. Harshvardhan Jha, Adv.
Mr. Yashraj Singh Deora, Adv.
Mr. Gulshan Sharma, Adv.
for M/s. K.L. Mehta & Co., Adv.

SLPs. 21662, 22607/05: Mr. Y.P. Mahajan, Adv.
Mr. T.V. Ratnam, Adv.

Mr. Prem Malhotra, Adv.

Mr. Jagdeep Kishore, Adv.
Ms. Rekha Gupta, Adv.

Ms. Manjula Gupta, Adv.

SLP 26738/05:

Mr. B.S. Mann, Adv.
Mr. K. Krishna Kumar, Adv.
Mr. M.A. Chinnasamy, Adv.

Ms. Suruchii Aggarwal, Adv.

Mr. Sudhir Nandrajog, Adv.

Mr. Jagjit Singh Chhabra, Adv.

Dr. Rajeev Dhawan, Sr. Adv.
Mr. Manish Vashisht, Adv.
Mr. Vikas Mehta, Adv.

-8-

For Respondent(s)
-DDA:

Mr. Vishnu B. Saharya, Adv.
for M/s Saharya & Co., Adv.

For UOI:

Mr. Sanjeev K. Bhardwaj, Adv.
Mr. B.K. Prasad, Adv.
Mr. B.V. Balram Das, Adv.

Ms. Rachana Srivastava, Adv.

Ms. Geeta Luthra, Adv.
Mr. D.N. Goburdhan, Adv.
Ms. Pinky Anand, Adv.
Mr. Sanjeev Sahai, Adv.

Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.

Mr. Vishnu B. Saharya, Adv.
for M/s. Saharya & Co.

UPON hearing counsel the Court made the following
ORDER

A chart of 75 cases has been submitted by the learned counsel for the Delhi Government. Broadly 11 categories of cases have been indicated in the chart. It was suggested that there may be necessity for sub-categorisation of some of the categories, for example, in category "subsequent purchasers". It was suggested that there may be cases where the original owners had responded to the notification and in some cases they may not have. We find that it would be proper to make a sub-categorisation in the "subsequent purchasers" category, as regards those where there is a claim that the original owners had filed objections to the notifications in question.

Learned counsel for the Delhi Government is directed to give details of the cases falling under various categories. In other words, the cases which fall under category 1, 2, etc. Let the details be furnished within three weeks. If any response is to be filed to the categorisation, the same may be done by way of additional affidavits, which shall be filed within a period of six weeks from today.

-9-

It is suggested by Mr. Dhawan, learned senior counsel that there may be necessity for filing further affidavits as regards the details in the chart submitted. Such additional affidavits are permitted to be filed. As regards the details contained in the affidavit on behalf of respondent 3 L&DO, Government of NCT, Delhi which was filed on 9 th October, 2007, if any additional affidavit is to be filed, same may be filed within time granted.

List this matter on the 16th April, 2008 for fixing a date of hearing.

(Sheetal Dhingra)
Court Master

(Vijay Aggarwal)
Court Master