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C.A.No. 3769 OF 1996
ITEM No.301

Court No. 2

SECTION XIV

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

I.A.No.19 in Civil Appeal No.3769/1996

BUFFALO TRADERS WELFARE ASSON.

Appellant (s)

VERSUS

U.O.I. & ORS.

Respondent (s)

(for clarification/direction)

I.A.No.22/2004 (appln. for intervention/direction)

Date : 17/11/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner (s) :Mr. Jayant Bhushan, Sr.Adv.
Mr. P.H. Parekh, Adv.
Mr. Rohit Alex, Adv.
Mr. Rajiv Mishra, Adv.
Mr. B.B. Bhatia, Adv.
Ms. Iti Sharma, Adv.
ForM/s. P.H. Parekh & Co.

I.A.22Ms. Rekha Pandey, Adv.
Ms. Anil Katiyar, Adv.

For Respondent (s)Mr. G.E. Vahanvati, SG.
For Urban DevelopmentMrs. Rekha Pandey, Adv.
Ministry, UOIMr. Devadatt Kamat, Adv.
Mrs. Anil Katiyar, Adv.

For DefenceMrs. Anil Katiyar, Adv.

Mr. K.C. Dua, Adv.

Mr. M.C. Mehta, Adv.

Mr. Sushil Kumar Jain, Adv.
Mr. A.P. Dhamija, Adv.
Ms. Ruchi Kohli, Adv.
Mr. Ram Niwas, Adv.
Mr. Sarad Singhanian, Adv.
Mr. H.D. Thanvi, Adv.

Ms. Binu Tamta, Adv.

Mr. Hardeep Singh Anand, Adv.

Ms. Chitra Markandaya, Adv.

For DDAMr. V.B. Saharya, Adv.
forM/s. Saharya & Co.

Mr. S.A. Syed, Adv.

For CPCBMr. Vijay Panjwani, Adv.

Mr. Goodwill Indeevar, Adv.

Mr. K.R. Rajasekaran Pillai, Adv.

Mr. Shrish Kumar Misra, Adv.

Mr. Ashok K. Srivastava, Adv.

for MCD Mr. Sanjiv Sen, Adv.

Mr. Rajan Narain, Adv.

Mr. Prashant Chaudhary, Adv.

Mr. Sunil Gupta, AAG.

Mr. S. Wasim A. Qadri, Adv.

For U.P. Mr. Kamendra Mishra, Adv.

Mr. Rajeev Kumar Dubey, Adv.

Mohd. Saud, Adv.

For NCRPB Mrs. Sheil Mohini Sethi, Adv.

Mrs. Seema Midha, Adv.

In IA 18/for intervenor Mr. Sakesh Kumar, Adv.

Mr. Satish K. Agnihotri, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.No.18/2004 in CA No.3769/1996

Taken on board.

Heard learned counsel for the applicant. We find no merit in this application. I.A. is rejected.

I.A.No.19/2004 & IA.No.22/2004 in CA No.3769/1996

A joint affidavit has been filed by the Chief Secretary, Government of National Capital Territory of Delhi and Secretary, Ministry of Urban Development wherein it is stated that they have no objection for the abattoir being constructed at Ghazipur and they have held a meeting with the Defence Secretary and other concerned officers on 10th of November, 2004 and they have taken into consideration the prevailing facts situation of the land fill site at Ghazipur. They have formed an opinion that the proposed abattoir at Ghazipur would in reality reduce the existing bird problem at Ghazipur rather than increasing the same. It is also pointed out in the said affidavit that the representative of the Air Headquarters, Ministry of Civil Aviation and Defence Secretary were present at the said meeting and in the minutes recorded therein they have taken a decision that the construction of abattoir at Ghazipur could continue. Taking the said affidavit on record we direct the applicant in I.A.No.22/2004 that is the Indian Air Force to file their response to this within two weeks from today.

List this matter for further orders on 30th November, 2004. Presence of the Chief Secretary, Government of National Capital Territory of Delhi and Secretary, Ministry of Urban Development is dispensed with. The MCD to file a status report in regard to the construction of the abattoir as also response to I.A.No.19/2004.

(PAWAN KUMAR)(PREM PRAKASH)
COURT MASTER COURT MASTER