

ITEM NO.3

COURT NO.7

SECTION XIV

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6093/2003

(From the judgement and order dated 13/02/2003 in CWP No. 2672/1996 of The HIGH COURT OF DELHI AT N. DELHI)

RAVI KHULLAR & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions and prayer for interim relief and office report)

(FOR FINAL DISPOSAL)

WITH SLP(C) NO. 6095 of 2003

(With appln. For directions and with prayer for interim relief and office report)

(FOR FINAL DISPOSAL)

SLP(C) NO. 6384 of 2003

(With prayer for interim relief and office report)

(FOR FINAL DISPOSAL)

SLP(C) NO. 8574 of 2003

(With appln for directions and impleadment of the applicants as petitioners and prayer for interim

relief and office report)

(FOR FINAL DISPOSAL)

Date: 10/01/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner(s) Mr. J.L. Gupta, Sr. Adv.
Mr. Dushyant Dave, Sr. Adv.
Mr. Rakesh Diwedi, Sr. Adv.
Mr. Nidhesh Gupta, Adv.
Mr. Vinod Shukla, Adv.
Ms. Nidhi Gupta, Adv.
Ms. S. Janani, Adv.

Mr. Naveen R. Nath, Adv.
Mr. Baljeet Choudhary, Adv.
Mr. Lalit Mohini Bhat, Adv.

IN SLP 8574/2003 Mr. Rakesh Diwedi, Sr. Adv.

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Mr. Gaurav Liberhan, Adv.

For Respondent(s)
for Govt. of NCT, Delhi Ms. Geeta Luthra, Adv.
Mr. D.N. Goburdhan ,Adv
Ms. Pinky Anand, Adv.

M/S Saharya & Co. ,Adv

Mr. D.S. Mahra ,Adv

Ms. Rachana Srivastava, Adv.

for Airport Authority Mr. A. Sharan, ASG
Mrs. Rachana Joshi Issar, Adv.
Mr. Amit Anand Tiwari, Adv.
Ms. Salinee Rangan, Adv.

for UOI

Ms. Indira Sawhney, Adv.

Mr. Vikas Sharma, Adv.

Mr. Pareena Swaroop, Adv.

Mr. Ameet Singh, Adv.

Ms. Anil Katiyar, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard the learned counsel for the parties.

It is submitted on behalf of the petitioners that the lands belonging to the petitioners on which industries were running have been acquired under the provisions of the Land Acquisition Act for the purpose of planned development of Delhi. The lands are located on the Mahipalpur-Mehruli road. They further submit that with a view to rehabilitate those who have been displaced as a result of acquisition of their lands an area of about 148 acres was acquired, out of which about 70 acres have been utilised for rehabilitating persons who have been displaced on account of another acquisition. 78 acres of land is still available. It is also submitted on the basis of written reply received from the learned counsel for the respondent, that the remaining area is sought to be

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utilised for the purpose of providing facilities to the displaced persons who have been

rehabilitated over 70 acres of land. The learned counsel for the petitioner further submits

that they had approached the authorities concerned and there appears to be distinct

possibility of rehabilitating the petitioners by allotting them lands, on the basis of the

Survey Report already on record and to the extent recommended. Further, they were

informed that in view of the pendency of these Special Leave Petitions, the respondents are not in a position to take a firm decision.

The learned Additional Solicitor General, appearing for respondents, submits

that he has no instructions in the matter so far as the possibility of accommodating the

petitioners on the acquired land is concerned, or that the same is not being considered on

account of pendency of these Special Leave Petitions. He has instructions to say that on

earlier dates such proposals have been rejected. However, he has no objection to the

petitioners moving the concerned authorities praying for their rehabilitation over the

portion of land that remains out of 148 acres of land which, according to them, have been

acquired for the purpose of rehabilitating the persons displaced as a result of acquisition.

In the circumstances, we adjourn these Special Leave Petitions to enable the

petitioners to move the concerned authorities within four weeks from today and for the

respondents to consider their request. It will be open to the respondents, if they so desire,

to take a decision in the matter. However, nothing said in this order should be construed

as expression of opinion on merit of the claims of either side. If the petitioners

move the

concerned authorities within four weeks, we expect them to take a decision in the matter within eight weeks thereafter.

Put up on April 18, 2006.

(Rajesh Dham
wan)

(Vijay Dha
wan)

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Court Master

Court Master