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ITEM NO.301 COURT NO.3 SECTION XIV
SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A. Nos.22 & 40 in C.A. No.3769/1996

BUFFALO TRADERS WELFARE ASSON.

Appellant (s)

VERSUS

U O I & ORS

Respondent(s)

(for intervention and directions)

Date: 11/12/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE A.K. MATHUR

For UOI Mr. T.S. Doabia, Sr. Adv.for
Mrs. Anil Katiyar, Adv.

For M.C.D. Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.

M/s Saharya & Co.(NP)

For CPCB Mr. Vijay Panjwani, Adv.

Buffalo Traders Mr.Rajeev Mishra, Adv. for
Assn. M/s. Parekh & Co.

Mr. Prashant Kumar, Adv.

For State of UP Ms. Savitri Pandey, Adv.for
Mr. Anuvrat Sharma, Adv.

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

Contractor in its affidavit filed on 10th December, 2007 has stated that the progress of fixing the air conditioning duct by MCD contractor is very slow. The same is controverted by Mr. Sanjiv Sen, learned counsel appearing for MCD. It is also stated that Ducting work

in the main slaughter hall has not started so far by the MCD contractor

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with the result the lights and the false ceiling cannot be completed by

the project contractor and final flooring epoxy layer has also to be

completed only after all these works are finished by MCD or its

contractor. It is further stated that wall and floor tiles work could

not be undertaken as the work of fixing ducts in mezzanine floor has

not been completed. That only after completion of the aforesaid works,

project contractor can install all personal hygiene equipments which are already available at site. It is stated that outside road work, drain, greenery, fencing etc. can only be taken up after pipe laying work is completed by MCD air conditioning contractor.

Lastly, it is stated that availability of efficient and competent technical staff and their training is very important for smooth functioning and running of this type of sophisticated plant and only after a list of the permanent staff is provided to the project contractor, he will call the experts from Germany.

Mr. Sanjiv Sen, learned counsel appearing for MCD assures that air conditioning duct by MCD contractor in the main slaughter hall will be completed by 31st December, 2007. He also states that fixing of ducts in mezzanine floor as well as pipe laying work shall also be completed by the MCD or its contractor by 31st December, 2007. He further states that list of permanent staff shall be furnished on or before 1st January, 2008 and their training can start by 10th January, 2008, in other words he states that permanent staff would be available for being trained by 10th January, 2008.

Mr. Prashant Kumar, learned counsel for the project contractor states his foreign experts team shall be available on 10th January, 2008 to impart training to the permanent staff of MCD so that the plant may become functional. He also assures that soon after the completion of the works to be done by the MCD, the project contractor shall complete the entire project and the complete plant in a working condition shall be handed over to the MCD on or before 15th February, 2008 and by that time the training would also be completed to the permanent staff.

MCD has also filed an affidavit on 10th December, 2007 seeking certain directions which shall be considered on the next date of hearing or thereafter.

To come up on 16th January, 2008 at 10.30 a.m.

(Parveen Kr. Chawla)

(Kanwal Singh)

Court Master

Court Master