

ITEM NO.301

COURT NO.4

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. Nos.22, 37, 38 & 39 in C.A. No.3769/1996

BUFFALO TRADERS WELFARE ASSON.

Appellant (s)

VERSUS

U O I & ORS

Respondent(s)

(for intervention, directions, permission to file additional documents and permission to file reply affidavit and office report)

Date: 05/09/2006 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 Delhi Govt.

Mrs. Rekha Pandey, Adv.

Mrs. Anil Katiyar, Adv.

For M.C.D.

Ms. Amita Gupta, Adv.

Mr. Sanjiv Sen, Adv.

For DDA

Mr. Vishny B. Saharya, Adv. for

M/s Saharya & Co.

for CPCB

Mr. Vijay Panjwani, Adv.

Buffalo Traders

Mr. P.H. Parekh, Adv.

Assn.

Mr. Rajeev Mishra, Adv.

Ms. Rukhmini, Adv.

Mr. Vivek K. Tankha, Sr. Adv.

Mr. Siddharth Chauhan, Adv.

Mr. Prashant Kumar, Adv.

Mr. Rohan Thawani, Adv.

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

I.A. No.22

Initially, the tenders were floated for setting up Slaughter House at Ghazipur, Delhi for 2500 animals. Contractor had given his bid for Rs.65 crores which was accepted. Unilaterally, the MCD increased the slaughtering capacity from 2500 animals to 5000 animals resulting in

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escalation in the cost of construction of civil work. Prices of raw material have also gone up. In addition, additional machinery was required for doubling the slaughtering capacity. MCD directed the contractor to continue with the work without settling the terms and conditions of the increased capacity. According to the contractor, the cost of total project is Rs.155 crores approximately (which was later on agreed by the contractor to be reduced to Rs.150 crores). As against this, according to the MCD the cost for the total project would be Rs.106 crores approximately. For the last four months the contractor has been impressing upon the MCD to settle the terms and conditions which the MCD has not done.

Counsel appearing for the MCD has today assured us that the officials of the MCD would sit with the contractor and try to settle the cost of the total project amicably, keeping in mind the escalation of the prices in the raw material, increase in constructed area, additional machinery, labour charges as well as the new taxes which have come into force now.

Adjourned to 26th September, 2006 at 10.30 a.m.

Status Report be submitted by 23rd September, 2006.

In the meantime, contractor is directed to continue with the civil/electrical work without fail as well as the importation of the additional machinery required for the project.

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(Parveen Kr. Chawla)

(Kanwal Singh)

Court Master

Court Master