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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.22 in Civil Appeal No.3769/1996

BUFFALO TRADERS WELFARE ASSON.

Appellant (s)

VERSUS

U.O.I. & ORS.

Respondent (s)

(for intervention/direction and with office report)

Date : 04/02/2005 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.
/AppellantMr. P.H. Parekh, Adv.
Mr. Rohit Alex, Adv.
Mr. Bharat Bhushan Bhatia, Adv.
Ms. Iti Sharma, Adv.
ForM/s. P.H. Parekh & Co.

I.A.22/Indian Air ForceMr. T.S. Doabia, Sr.Adv.
Mr. Jagjit Singh Chhabra, Adv.
Ms. Rekha Pandey, Adv.
Ms. Anil Katiyar, Adv.

For Respondent (s)Mr. G.E. Vahanvati, SG.
For Urban DevelopmentMr. Devadatt Kamat, Adv.
Ministry, UOI & DelhiMrs. Anil Katiyar, Adv.

Mr. Y.P. Mahajan, Adv.
Mr. K.C. Dua, Adv.

Mr. M.C. Mehta, Adv.

Mr. Sushil Kumar Jain, Adv.
Mr. A.P. Dhamija, Adv.
Mr. Sarad Singhania, Adv.
Mr. H.d. Thanvi, Adv.

Ms. Binu Tamta, Adv.

Mr. Hardeep Singh Anand, Adv.

: 2 :

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. Mukul Rohtagi, Sr. Adv.

Mr. Sanjiv Sen, Adv.

Mr. Rajan Narain, Adv.

Mr. Prashant Chaudhary, Adv.

Mr. S. Wasim A. Qadri, Adv.

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

Mr. Rajeev Kumar Dubey, Adv.

Ms. Rashmi Singh, Adv.

Mohd. Saud, Adv.

For NCRPB Mrs. Sheil Sethi, Adv.

Mr. Satish K. Agnihotri, Adv.

I.A.No.27 Mr. Gourab Banerjee, Sr. Adv.

Mr. Nikhil Sakhardande, Adv.

Mr. A.V. Palli, Adv.

Mr. Ashim Sood, Adv.

Mrs. Rekha Palli, Adv.

Mr. Kamal Mohan Gupta, Adv.

Mr. Ashok Kumar Sharma, Adv.

Mr. Ashok K. Mahajan, Adv.

Mr. Irshad Ahmad, Adv.

Mr. Mohd. Tahir Siddiqui, Adv.

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UPON hearing counsel the Court made the following

O R D E R

After examining the Master Plan of the construction of the modern slaughter house (abattoir) at Ghazipur, the Director of Operations on behalf of Director General of Civil Aviation has granted no objection certificate to the Municipal Corporation of Delhi in regard to the construction of the said abattoir subject to the condition mentioned therein. We take this letter of No Objection which was given to us by the learned Solicitor General on record and direct the Commissioner of Municipal Corporation of Delhi to adhere to the conditions laid down in the said letter which according to the Director General of Civil Aviation will protect the air space. Mr. Rohtagi, learned senior counsel appearing for the Municipal Corporation of Delhi submits that as per our earlier order we directed the construction of a temporary slaughter house at Ghazipur and then construct the permanent abattoir there. He submits this amounts to duplicacy of work costing a huge financial burdens hence MCD may be permitted to continue the slaughter house at the present place that is Idgah till 31st March, 2006 by which time they would complete the modern abattoir as proposed. This is opposed to by Shri Sushil Kumar Jain,

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learned counsel on the ground that the people of Idgah have already suffered long enough and time of shifting should not be further delayed. Taking into consideration the objections of Mr. Jain we call upon the MCD to file a statement before this Court showing the steps they are willing to take to reduce the suffering of the local people of the Idgarh by delaying the shifting of this slaughter house to Ghazipur. Time is granted to MCD to file this statement within four weeks.

Shri G.K. Banerjee, learned senior counsel appearing on behalf of M/s Sheep and Goats Broker Association, Delhi in I.A.No.27/2005 submits that they have certain suggestions to make to the MCD to provide certain facilities for the live stock market at Ghazipur abattoir. Therefore,

he seeks directions from us that they may be given hearing by the Commissioner MCD. Shri Rohtagi, learned senior counsel appearing for the MCD submits that such a hearing would be given within two weeks from today and suggestions if practical will be taken note of. Call this matter after four weeks.

(PAWAN KUMAR)
COURT MASTER

(PREM PRAKASH)
COURT MASTER