

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

IA Nos. 21, 24, 26, 30, 33, 37-39, 40, 45, 47, 50-52, 61, 62, 67, 68  
and 69 in IA Nos. 70-71 in Writ Petition (Civil) No. 653 of 1994

WASIM AHMED SAEED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

(With appln. for directions, intervention, to take on record the joint  
report in compliance of order dated 05.08.2004, modification of  
court's order dated 05.08.2004 and 02.09.2004, permission, direction,  
impleadment and office report)

WITH

IA Nos. 14, 15 and 17 in Contempt Petition (Civil) No. 162/2000 in  
WP (C) No. 653/1994

(With appln. for exemption from filing O.T., recalling of order  
dated 12.05.2000, restoration of order dated 16.03.1998 and 20.07.1998,  
directions and office report)

IA Nos. 14-17 in IA No. 13 in WP(C) No. 239/1997

(With appln. for impleadment, directions and office report)

Date: 07/03/2014 These Applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN  
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

Counsel for the parties

Amicus Curiae Mr. Altaf Ahmad, Sr. Adv.  
Mr. Imtiaz Ahmed, Adv.

Mr. A.D.N. Rao, Adv.  
Mr. A. Venkatesh, Adv.  
Ms. Vaishali, Adv.  
Mr. Sudipto Sircar, Adv.  
Ms. Neelam Jain, Adv.

Ms. Sunita Sharma, Adv.  
Mr. Shadman Ali, Adv.  
Mr. Chetan Chawla, Adv.

Mr. Mohan Prasad Gupta, Adv.  
for Mr. S.N. Terdal, Adv.

Mr. Shantanu Singh, Adv.  
Mr. Naresh Kumar Gaur, Adv.  
Mr. Ashok Kumar Singh, Adv.

Mr. Irshad Ahmad, Adv.  
for Mr. Samir Ali Khan, Adv.

Mr. Manjit Singh, AAG  
for Mr. Kamal Mohan Gupta, Adv.

Mr. Yunus Malik, Adv.  
Mr. Shashank Singh, Adv.  
Mr. Aman Malik, Adv.

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

Mr. Altaf Ahmad, learned amicus curiae, referred to our order dated January 20, 2014 wherein we have directed the necessity of widening of the road since lot of vehicles have to pass through that road. At the moment, the width of the road is 5.5 meters. State of Uttar Pradesh has filed an additional affidavit on March 05, 2014 wherein they have stated that the State Administration has prepared a chart regarding the lands which are to be acquired by the State for widening of the road from the existing 5.5 meters metalled width to 10.5 meters. It is stated that the State has to acquire lands of private persons and they are on that job. Further, it is also stated that the total land belonging to three private individuals is around 1.5 hectare and the Gram Sabha land is about 230 sq. meters. It is also stated that the steps will be taken pursuant to this Court's directions leading to Hathi Darwaja and for providing parking next to the monument.

Mr. Irshad Ahmad, learned counsel appearing for the State of Uttar Pradesh, submitted that six months' time is required for clearing the formalities for acquisition of the land for widening of the road. This submission is recorded.

Learned amicus curiae referred to para 5 of the Additional Affidavit filed by the State wherein it is stated that the State Government is willing to cooperate with the Archaeological Survey of India (for short, 'ASI') with respect to the lease land which is around 5000 sq. meters. He also submitted that the ASI should take steps to construct a compound wall.

Learned counsel appearing in IA Nos. 68-71 submitted that if the compound wall is constructed, the ingress and egress to the shops and the house of Veer Singh will be closed.

We are not in a position to ascertain the same.

In such circumstances, we direct the District Judge, Agra, to conduct an inquiry and find out as to whether the construction of the compound wall would cause any obstruction to the ingress and egress of the shops and houses located nearby. A report shall be submitted to this Court within one month from the date of receipt/production of a copy of this order.

Mr. A.D.N. Rao, learned counsel appearing for the ASI, submitted that even though construction of the compound wall has commenced, till orders are passed by this Court, it will not cause any obstruction to the ingress and egress to Veer Singh's property for the time being.

List along with the report of the District Judge, Agra.

|(N.S.K. Kamesh)

|(Renuka Sadana)

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|Court Master

| |Court Master

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