

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

Civil Appeal Nos. 3794-3796/2011

M/S INDIRA LEGISLATORS MUTUALLY AIDED  
COOPERATIVE HOUSING SOCIETY LIMITED

Appellant(s)

VERSUS

DR. RAO V.B.J. CHELIKANI &amp; ORS.

Respondent(s)

(FOR IA 119414/2022 IA FOR INTERVENTION/IMPLEADMENT

WITH

C.A. No. 3791-3793/2011 (XII-A)

(Adv.Mr. Tapesh Kumar Singh, Adv. has filed a Vakalatnama on behalf of the State of Jharkhand. Mr. C.K. Sasi, Advocate has filed vakalatnama on behalf of State of Kerala. Mr. K.V. Vijayakumar, Advocate has filed memo of appearance on behalf of State of Tamil Nadu. Mr. K. Enatoli Sema, Advocate has filed vakalatnama on behalf of State of Nagaland(Respondent). Mr. Ranjan Mukherjee, Advocate has filed vakalatnama on behalf of Joint Secretary, Law Department, State of Meghalaya, Ms. Sharmila Upadhyay, Advocate has filed vakalatnama on behalf of LR-cum-Spl Secretary to Govt. Law Department, Odisha, Bhubaneswar. Mr. Gopal Singh, Advocate has filed Vakalatnama on behalf of State of Tripura. Mr. M. Shoeb Alam, Advocate has filed Memo of Appearance on behalf of State of Jammu and Kashmir. and IA No.123863/2017-EXTENSION OF TIME.Mrs. Anil Katiyar, Advocate has filed Vakalatnama/Appearance on behalf of Resident Commissioner UT Admin of Lakshadweep. Mr. Mishra Saurabh, Advocate has filed Vakalatnama/Appearance on behalf of State of Madhya Pradesh. Mr. V.G. Pragasam, Advocate has filed Vakalatnama/Appearance on behalf of Union Territory of Puducherry. Mr. Dharmendra Kumar Sinha, Adv has filed Vakalatnama with memo of appearance and short affidavit on behalf of State of Chhattisgarh. and IA No.3666/2018-XTRAMr. Shuvodeep Roy, Standing counsel has filed Vakalatnama/ Appearance on behalf of State of Assam alongwith Affidavit alongwith application for permission to file compliance affidavit and for condonation of delay in filing the same - by Respondent State of Assam i.e. I.A. No. 3666 of 2018.Affidavit on behalf of Respondent i.e. State of Kerala filed by Mr.C.K.Sasi, AdvocateMs. Rachana Srivastava, Advocate filed Vakalatnama/appearance b/o State of Meghalaya, Mr. Arjun Garg,Advocate has filed M/A on b/o state of M.P.,Mr. D.Kumanan,Advocate filed M/Appearance on behalf of state of Tamil Nadu.Mr. Sumeer Sodhi,AOR has on 05/02/2022 e-filed M/A on behalf of Respondent i.e State of Chhattisgarh.

IA No. 16/2016 - APPLICATION FOR SUBSTITUTION  
IA No. 48471/2021 - CLARIFICATION/DIRECTION  
IA No. 23802/2019 - CLARIFICATION/DIRECTION  
IA No. 93379/2018 - CLARIFICATION/DIRECTION  
IA No. 123863/2017 - EXTENSION OF TIME  
IA No. 61480/2017 - INTERVENTION/IMPLEADMENT  
IA No. 93373/2018 - INTERVENTION/IMPLEADMENT)

C.A. No. 3804-3806/2011 (XII-A)  
(FOR APPLICATION and IA No. 7/2013 - APPLICATION FOR TRANSPOSITION)

C.A. No. 3807-3809/2011 (XII-A)

SLP(C) No. 19838/2010 (XII-A)  
IA No. 2/2011 - PERMISSION TO FILE ANNEXURES)

C.A. No. 3810/2011 (XII-A)

C.A. No. 3797-3799/2011 (XII-A)  
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 22308/2021

C.A. No. 3800-3802/2011 (XII-A)

C.A. No. 3803/2011 (XII-A)

SLP(C) No. 32890/2018 (XII-A)  
IA No. 52137/2022 - WITHDRAWAL OF CASE/APPLICATION)

Date : 25-08-2022 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MS. JUSTICE HIMA KOHLI  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Parties : Mr. K.K. Venugopal, Ld. AG  
Mr. Siddhant Kohli, Adv.  
Mr. Arvind Kumar Shrama, Adv.

Ms. Vamshi Rao, Adv.  
Mr. Rajat Singh, AOR

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Mr. Mahfooz Ahsan Nazki, AOR  
Mr. Polanki Gowtham, Adv.  
Ms. Rajeswari Mukherjee, Adv.  
Mr. K.V. Girish Chowdary, Adv.

Mr. G. N. Reddy, AOR

Mr. Raghent Basant, Adv.  
Ms. Liz Mathew, Adv.  
Ms. Roopali Lakhotia, Adv.  
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Ms. Chubalemla Chang, Adv.  
Ms. Limayinla Jamir, Adv.

Mr. Abinash Kumar Mishra, AOR

Ms. G. Indira, AOR

Mr. S.. Udaya Kumar Sagar, AOR

Mr. M. Shoeb Alam, AOR

Ms. Promila, AOR

Mr. Tapesh Kumar Singh, AOR  
Mr. Aditya Pratap Singh, Adv.

Mr. Amit Pawan, AOR

Mr. Chandan Kumar, Adv.  
Mr. Manoj C. Mishra, AOR

Mr. C. K. Sasi, AOR  
Mr. Abdulla Naseeh V.T., Adv.  
Ms. Meena K. Poullose, Adv.

Mr. S. Thananjayan, AOR

Ms. Astha Sharma, AOR

Mr. B. Krishna Prasad, AOR

Mr. Rajiv Dutta, Sr. Adv.  
Mr. R. Nedumaran, AOR  
Ms. Gunjan Malhotra, Adv.  
Ms. Nawang Chuneey, Adv.  
Mr. Kumar Dushyant Singh, Adv.  
Mr. Siddharth Dutta, Adv.

Mr. Narendra Kumar, AOR

Mr. T. V. Ratnam, AOR

Mr. Shuvodeep Roy, AOR  
Mr. Arnav Singh Deo, Adv.

Ms. C. K. Sucharita, AOR

Mr. Bijoy Kumar Jain, AOR

Mr. Devashish Bharuka, AOR

Mrs. D. Bharathi Reddy, AOR

Mr. B. Adinarayana Rao, Sr. Adv.  
Mr. Anuj Shah, Adv.  
Mr. Kunal Dutt, Adv.  
Ms. B. Vijayalakshmi Menon, AOR

Ms. Anu Gupta, AOR

Mr. D. Abhinav Rao, AOR  
Ms. Kanti, Adv.

Mr. Rao Vishwaju, Adv.  
Mr. Praseena C. Joseph, Adv.

For R-5 & 6  
In CA 3791-93/2011

Mr. Mahesh Jethmalani, Sr. Adv.  
Mr. Somanadri Goud Katam, Adv.

Mr. Ajay Awasthi, Adv.  
Ms. Mughda Pande, Adv.  
Mr. Wedo Kholo, Adv.  
Mr. Sirajuddin, Adv.

Mr. Sumeer Sodhi, AOR  
Mr. Devashish Tiwari, Adv.  
Mr. Gaurav Arora, Adv.

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

1. Heard Mr. K.K. Venugopal, learned Attorney General for India on behalf of the Union of India and learned Senior Advocates appearing on behalf of the parties.

2. I.A. No. 119414/2022-application for impleadment in C.A. Nos.3794-3796/2011 is allowed. Cause title be amended accordingly.

3. I.A.No. 22308/2021 in C.A. Nos. 3797-3799/2011

- (a) The present application has been filed by the applicant/Co-operative Housing Society Ltd. comprising of 1100 journalists seeking directions to the respondent Nos. 3 to 5/State Government and its functionaries, in the said appeals to hand over possession of Ac 38.00 guntas of land already allotted to the said Housing Society vide GOMs No. 424 Revenue (Assn-V) dated 25.03.2008 and restrain the said respondents from creating any third-party interests in the subject land.
- (b) It is contended in the application that these journalists had already been allotted 70 acres of land *inter alia* (i)

to an extent of Ac 32.00 guntas in Survey No. 332 at Nizampet Village and (ii) Ac 38.00 guntas in Survey No.25/2 at Pet Basheerabad Village vide GOMs No. 424 dated 25.03.2008. They were allowed to develop the parcels of land and various improvements were made and possession of only 32 acres of land in Nizampet village was delivered to the applicant/Housing Society.

- (c) Vide interim order dated 25.04.2011, this Court had allowed the allottees/societies who were already in possession of the subject land to develop the same at their own risk and cost, without claiming any equities in their favour, in the event they fail in the appeals.
- (d) Possession of the remaining extent of 38 acres of land in Pet Basheerabad village has not been handed over to the Housing Society.
- (e) It appears from the earlier proceedings that this Court had directed the learned Attorney General for India to make certain submissions relating to the creation of a uniform Pan India Policy for allotment of land by the Government. However, at this stage without going into the main issue, we are passing order only on I.A. No. 22308/2022 in C.A. Nos. 3797-3799/2011 filed by the Journalists Housing Society.
- (f) In the present case the allotment had taken place as far back as in the year 2008 and the journalists have been waiting for fourteen years for a roof over their head. It

appears that the Members of the said Society have already deposited a sum of Rs.12.33 Crores with the State Government towards the cost of the said allotted land and part possession has already been given. Taking into consideration the above facts, we direct the respondent-State and its functionaries to deliver possession of the remaining allotted land being Ac 38.00 guntas of land in Survey No. 25/2 to the applicant - Housing Society. The journalists who are members of the Housing Society are permitted to take possession of the subject land and raise construction thereon.

(g) I.A.No. 22308/2021 is allowed accordingly.

4. So far as the applications moved by MLAs, MPs, IAS officers, IPS officers etc. are concerned, the same may be considered at an appropriate time. We are not inclined to pass any orders on the said applications at this stage.

5. The matter may be listed before an appropriate Bench for final orders.

6. I.A. No. 52137/2022 i.e. an application moved for withdrawal of Special Leave Petition No. 32890 of 2018 is allowed. SLP (C) No. 32890 of 2018 stands dismissed as withdrawn.

(RAJNI MUKHI)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
COURT MASTER (NSH)