

ITEM NO.1

COURT NO.6

SECTION XIV

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8398-8399 and 12415 of 2005

(From the judgement and order dated 19/12/2003 in CW No. 85/2003 & RA No. 130/2004 & CWP No. 1138/2003 of The HIGH COURT OF DELHI AT N. DELHI)

SUPER BAZAR KARAMCHARI DALIT SANGH & ORS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for c/delay in filing SLP, directions, intervention, impleadment and directions and

impleadment of 70 employees of Super Bazar Co-Operative Store and and office report)

With

SLP(C) No.22640 of 2005

(With appln.(s) for C/delay in refiling SLP and with prayer for interim relief and office report)

Date: 27/09/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. Anoop G. Chaudhary, Sr.Adv.

Mr. Sarwa Mitter, Adv.

Ms. June Chaudhary, Adv.

Ms. Santosh Gupta, Adv.

Mr. Amit gupta, Adv.

For M/S Mitter & Mitter Co.,Adv.

For Respondent(s)

Ms. Monika Garg, Adv.

Ms. Kavita Wadia,Adv.

Mr. R.K.Kapoor, Adv.

Mr. M.K.Verma, Adv.

Mr. S.S.Yadav, Adv.

Mr. Anis Ahmed Khan ,Adv

2

For (DSIDC)

Ms. Pinky Anand, Adv.

Govt.of NCT

Mr. D.N. Goburdhan ,Adv

Mr. Rajesh Pathak, Adv.

For Urban

Mr. D.N.Goburdhun, Adv.

Development

Ms. Pinky Anand, Adv.

Ms. Geeta Luthra, Adv.

Mr. Vishnu B.Saharya, Adv.

For M/S Saharya & Co. ,Adv

Mr. K.K.Tyagi, Adv.

Mr. Iftexhar Ahmad, Adv.

Mr. P. Narasimhan ,Adv

Mr. Rakesh K. Khanna, Sr.Adv.

Mr. Surya Kant, Adv.

Dr. Rashmi Khanna, Av.

Ms. Jhanavi Wohra, Adv.

Mr. Neeraj Sharma, Adv.

Ms. Shailja Sinha, Adv.

For RIL

Dr. Milind Sathe, Sr.Adv.

Mr. K.R. Sasiprabhu ,Adv

Mr. M.K.Sreegesh, Adv.

Mr. Sukesh, Adv.

Mr. Ravindra Kumar ,Adv

Mr. Amarendra Saran, ASG

Mr. V.K.Verma, Adv.

Mr. G.Prakash, Adv.

Mr. R.Mohan, ASG

Mr. S. Wasim A.Qadri, Adv.

Mr. V.K. Verma ,Adv

For IPL & ILC

Mr. Ranjit Kumar, Sr.Adv.

Mr. Vivek Singh, Av.

Mr. Arvind Kumar Gupta ,Adv

Mr. Rajesh Ranjan, Adv.

Dr. Kailash Chand ,Adv

Mr. T.K.Ganju, Sr.Adv.

Mr. Ajay Thakur, Adv.

Mr. Shree Prakash Sinha, Adv.

Mr. C.K.Rai, Adv.

Mr. C.D. Singh ,Adv

Mr. Anil Karanwal, Adv.

3

Mr. Satbir Pillania, Adv.

Mr. K.P.S.Dalal, Adv.

Dr. Sushil Balwada, Adv.

In I.A.No.31

Mr. Mohit Chaudhary, Adv.

Mr. Manish Jain, Adv.

Ms. Pooja Sharma, Adv.

Ms. Jyoti Mendiratta, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard counsel for the parties for some time.

Counsel for the N.D.M.C. prays for leave to withdraw the affidavit filed on

26th September, 2006 to enable it to file a better affidavit and exclude irrelevant

matters stated therein. The prayer is allowed.

From the discussion in Court a few points emerge which we wish to highlight

so that in the affidavit that may be filed on behalf of the N.D.M.C. those points are also

covered namely :-

1. Whether the proposal to demolish the Super Bazar building with a view to

providing 80,000 sq.ft. of parking space can be executed in view of the existing

building bye-laws and norms, because the built up area of the ground floor of the

building is 20,200 sq.ft. and therefore in accordance with the existing bye laws, the

basement cannot be more than 20,200 sq.ft. The existing area of the basement is

about 19,000 sq.ft.

2. Whether the proposal to demolish the existing building and to reconstruct the same

will, in any way, effect the business of the Super Bazar in other premises which also form part of the composite bid made by the parties. It was submitted on behalf of

one of the bidders that even if some time is taken to renovate, demolish and/or

reconstruct the building in the Connaught Circus, if the other premises are

available, the bidders may commence their business in those premises.

3. The N.D.M.C. has expressed its willingness to let out the ground, first, second and

third floors to the successful bidder on payment of market rent with proportionate

parking space. No indication has been given as to the basis on which the rate will be

calculated. It has further to be clarified whether in regard to the other premises of

the Super Bazar, the same principle will apply.

4

4. If the Super Bazar building has to be reconstructed as proposed by N.D.M.C., how

much time it will take to demolish and reconstruct the building and handover the

same to the successful bidder.

We are informed that some of the premises belong to the L & D.O. and the

D.D.A. If they wish to make any suggestion, they are free to do so by filing an affidavit

Put up on 12th October, 2006.

(Sukhbir Paul Kaur)

Court Master

(Vijay Dhawan)

Court Master