

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: 06/09/2006 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

Mr. D.N. Goburdhan ,Adv

Ms. Pinky Anand, Adv.

Mr. Vishnu B.Saharya, Adv.

For M/S Saharya & Co. ,Adv

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Mr. K.K.Tyagi, Adv.

Mr. Iftekhar Ahmad, Adv.

Mr. P. Narasimhan ,Adv

Mr. Rakesh K. Khanna, Sr.Adv.

Dr. Rashmi Khanna, Av.

Ms. Jhanavi Wohra, Adv.

Ms. Shailja Sinha, Adv.

Mr. Surya Kant ,Adv

Mr. Soli J. Sorabjee, Sr.Adv.

Dr. Milind Sathe, Sr.Adv.

Mr. K.R. Sasiprabhu ,Adv

Mr. M.K.Sreegesh, Adv.

Mr. Ashish Varma, Adv.

Mr. A.K.Prasad, Adv.

Mr. Ravindra Kumar ,Adv

Mr. G.E.Vahanvati, SG (N.P.)

Mr. V.K.Verma, Adv.

Mr. G.Prakash, Adv.

Mr. A.Saran, ASG

Mr. S. Wasim A.Qadri, Adv.

Mr. V.K. Verma ,Adv

Mr. Ranjit Kumar, Sr.Adv.

Mr. Vivek Singh, Av.

Mr. Arvind Kumar Gupta ,Adv

Mr. Rajesh Ranjan, Adv.

Mr. Atin Rastogi, Adv.

Mr. Shiv Kant, Adv.

Dr. Kailash Chand ,Adv

Mr. Ajay Thakur, Adv.

Mr. Shree Prakash Sinha, Adv.

Mr. C.D. Singh ,Adv

In I.A.No.29

Mr. Anil Karanwal, Adv.

(For impleadment) Mr. Satbir Pillania, Adv.

Dr. Sushil Balwada, 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 appearing on behalf of the N.D.M.C. submitted that as directed by this Court, the two bidders have not yet communicated their requirements to the N.D.M.C. Counsel

N.D.M.C. Counsel

appearing on behalf of the bidders submitted that they would require the entire

building but after some discussion it was submitted that if the ground, first, second and

third floors were available to the bidders with proportionate area of the basement, they

may be able to carry on their business. We requested Counsel for the N.D.M.C. to seek

instruction on this aspect of the matter. This is on the basis that the building presently

existing will not be demolished but will be beautified and strengthened by the bidders

at their own expense. We have further indicated that so far as rental is concerned that

may be negotiable once the N.D.M.C. agrees to let out the premises to the extent

indicated above.

Learned Additional Solicitor General appearing on behalf of the Union of

India states that it appears that L & D.O. has allotted the land to the N.D.M.C. only for

establishing the Super Bazar and if the same is to be utilized for any other purpose, the

Union of India will have to reconsider the matter and explore the possibilities of

resuming the land.

Put up on 27th September, 2006.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master