

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1084 OF 2007

SABINA BEGUM AHMED ZUBERI

...APPELLANT(s)

Vs.

BOMBAY ENVIRONMENTAL ACTION GROUP & ORS.

...RESPONDENT(s)

WITH CIVIL APPEAL NOS.1085, 1086,  
1087, 1089, 1090 & 1091 OF 2007

O R D E R

1. During the course of hearing, we were confronted with the provisions of the Pune building rules, framed by the Collector of Pune, which were referred to as the Collector's Rules of 1920 for Pune Koregaon Park Area. In the determination of the controversy in hand, it is imperative for us to understand the nature of the above Rules, and their sanctity in law. We therefore, direct the State of Maharashtra, to place on the record of this case, the notification of the Rules of 1920.

2. We also consider it just and appropriate, to direct the State of Maharashtra to affirm one way or the other, whether the Collector's Rules 1920 of Pune Koregaon Park Area, were framed under Section 214 of the Bombay Land Revenue Code, 1879 and/or any other provisions of law.

3. It is also essential to have with us, the various stages of consideration of the Development Control Rules,

which eventually came to be notified on 5.1.1987. The information being sought relates to the notification of the draft rules, the invitation of objections thereto, leading to the process of finalization of the Development Control Rules, more particularly, information whether Appendix "S", annexed to the Development Control Rules, was ever put out to the public through a public notice, before finalization of the Development Control Rules.

4. We also feel, that effective assistance of this Court in the present controversy would be possible, if the learned Advocate General of the State of Maharashtra represents the State Government, during the course of further proceedings in this batch of cases. We therefore, request the Advocate General, Maharashtra, to assist this Court.

5. Post for hearing on 6<sup>th</sup> April, 2017.

.....CJI.  
[JAGDISH SINGH KHEHAR]

.....J.  
[Dr. D.Y. CHANDRACHUD]

.....J.  
[SANJAY KISHAN KAUL]

New Delhi;  
9<sup>th</sup> March, 2017.

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

Civil Appeal No(s) .1084/2007

SABINA BEGUM AHMED ZUBERI

Appellant(s)

VERSUS

BOMBAY ENVIRONMENTAL ACTION GROUP &amp; ORS.

Respondent(s)

WITH

C.A.Nos.1085, 1086, 1090 &amp; 1091 of 2007

C.A.No.1087/2007-(With office report)

C.A.No.1089/2007-(With appln.(s) for directions and office report)

Date : 09/03/2017 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Appellant(s)

CA 1084

Mr. R.P. Bhatt, Sr. Adv.

Ms. Aparna Jha, Adv.

Mr. Sibbo Sankar Mishra, Adv.

Mr. Pratap Venugopal, Adv.

Ms. Surekha Raman, Adv.

Mr. Anuj Sarma, Adv.

Ms. Niharika, Adv.

Mr. Aman Shukla, Adv.

Ms. Kanika Kalaiyarasan, Adv.

For M/s. K.J. John &amp; Co., Adv.

CA 1087 &amp; 1089

Mr. Pinaki Misra, Sr. Adv.

Mr. E.R. Kumar, Adv.

Ms. Ramni Taneja, Adv.

Mr. Kshatrshal Raj, Adv.

Ms. Rashi Gupta, Adv.

Ms. Shweta, Adv.

Ms. Nandita Bajpai, Adv.

For Mr. Anil Shrivastav, Adv.

Mr. Gaurav Agrawal, Adv.

For Respondent(s)

CA 1084 &amp; 1091

Mr. Shekhar Naphade, Sr. Adv.

Mr. Makarand D. Adkar, Adv.

Mr. Vijay Kumar, Adv.

Mr. Vishwajit Singh, Adv.

CA 1084 Mr. A.K. Panda, Sr. Adv.  
Mr. Deepak Goel, Adv.  
Mr. G.S. Makker, Adv.

CA 1090 Mr. Jayant Bhushan, Adv.  
Mr. Gaurav Agrawal, Adv.  
Mr. Kunwar Shashank, Adv.

CA 1084, 1085, 1086, 1087, 1089 & 1090 Mr. Mahesh Agarwal, Adv.  
Ms. Sadapurna Mukherjee, Adv.  
Mr. Himanshu Satija, Adv.  
Mr. Rishabh Parikh, Adv.  
For Mr. E.C. Agrawala, Adv.

CA 1091 Mr. Gopal Jain, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
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Mr. Himanshu Satija, Adv.  
Mr. Rishabh Parikh, Adv.  
For Mr. E.C. Agrawala, Adv.

CA 1091 Mr. Aniruddha P. Mayee, Adv.  
Mr. A. Selvin Raja, Adv.  
Mr. Charudatta Manindrakar, Adv.  
For Mr. P.V. Yogeswaran, Adv.

State of Maharashtra Mr. Mahaling Pandarge, Addl. Govt. Adv.  
Mr. Nishant Katneshwarkar, Adv.

Ms. Asha Gopalan Nair, Adv.  
Mrs. Manik Karanjawala, Adv.  
Mr. V.N. Raghupathy, Adv.  
Mr. A. Venayagam Balan, Adv.  
Mr. Braj Kishore Mishra

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

The appeals are directed to be listed on 6<sup>th</sup> April,  
2017, in terms of the signed order.

(Sarita Purohit)  
Court Master

(Renuka Sadana)  
Assistant Registrar

(Signed order is placed on the file)