

ITEM NO.52

COURT NO.6

SECTION XIV

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

Petition(s) for Special Leave to Appeal (Civil) No(s).12065/2009
(From the judgement and order dated 11/02/2009 in CM No.15895/2005
in WP No.17682/2005 of The HIGH COURT OF DELHI AT N. DELHI)

UNION OF INDIA

Petitioner(s)

VERSUS

VIMAL BHAI & ORS.

Respondent(s)

(With appln(s) for directions and modification of Court's Order and
with prayer for interim relief and office report)

Date: 28/11/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Ms.Indira Jaising, ASG
Ms.Sadhna Sandhu, Adv.
Ms.Smridhi Sinha, Adv.
Mr. Shreekant N. Terdal,A.O.R.(Not Present)

For Respondent(s) Mr.Sanjay Parikh, Adv.
Ms. Mamta Saxena, Adv.
Ms. Anitha Shenoy, Adv.

for State of MP Mr. B.S. Banthia, Adv.

for State of WB Mr. Abhijit Sengupta, Adv.

for State of TN Mr. B. Balaji, Adv.

For State of Maharashtra None

for Press Council of India Mr. P.H. Parekh, Sr. Adv.
Mr. D.P. Mohanty, Adv.
(Applicant in Ms. Pallavi Srivastava, Adv.
IA No.3 and for Ms. Pallavi Sharma, Adv.
directions)

UPON hearing counsel the Court made the following

O R D E R

The affidavits filed on behalf of the States of Madhya

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Pradesh and West Bengal are taken on record.

In the affidavit filed by Shri D.D.Agrawal, Deputy
Secretary, Department of Housing and Environment,
Government of Madhya Pradesh, it has been stated that
possession of the premises measuring 4561.40 sq. feet has
already been taken and Circuit Bench of the National Green
Tribunal has become functional w.e.f. 17.11.2011. Shri

Agrawal has also stated that within two months from the date of receipt of requisition from the Government of India/National Green Tribunal, adequate and appropriate accommodation suitable for the Judicial and Executive Members of the Tribunal will be made available.

In the affidavit filed by Shri Prithwi Dulal Bandyopadhyay, Additional Secretary, Forests Department, State of West Bengal, it has been stated that accommodation for the Kolkata Bench of the National Green Tribunal will be made available in the New Township.

Learned counsel for the State of Tamilnadu says that the State Government will provide suitable and adequate accommodation for Chennai Bench of the National Green Tribunal without any delay.

Learned counsel representing the States of West Bengal and Tamilnadu should get in touch with the concerned authorities and file specific affidavits containing unequivocal assurance from their respective State Governments on the issue of allotment of accommodation for

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the Benches of the National Green Tribunal as also residential accommodation for Judicial and Executive Members which shall necessarily be commensurate with their status.

The Registry is directed to inform the Standing Counsel for the State of Maharashtra to make it convenient to appear and assist the Court on the next date of hearing to avoid an order which may result in summoning of senior officer of the State.

The learned Additional Solicitor General invited the Court's attention to the documents annexed with additional affidavit dated 30.09.2011 of Shri Vivek Wadekar, Director (PL), Ministry of Environment and Forests and submitted that the National Green Tribunal would require the total space measuring 43489 sq.ft. and after applying austerity

cut, the requirement would be 36966 sq.ft. She then gave out that a proposal has already been submitted to the Government of India for allotment of Faridkot House, Copernicus Marg, New Delhi which is going to be vacated by National Human Rights Commission in near future to the National Green Tribunal. We hope and trust that the Ministry of Urban Development and Housing will take appropriate decision at the earliest for allotment of Faridkot House to the National Green Tribunal immediately after the same is vacated by the National Human Rights Commission.

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The learned Additional Solicitor General also stated that two Judicial and Four expert members of the National Green Tribunal have already been appointed and the appointments of four Judicial and seven Expert Members are in process. She also gave out that one Registrar and four Deputy Registrars have been made available for making the Principal and Benches of the National Green Tribunal effectively functional and efforts are a foot for recruiting the subordinate staff.

By taking cognizance of the submissions made by the learned counsel representing the States of West Bengal and Tamilnadu and the learned Additional Solicitor General, we deem it proper to adjourn the case to 14.12.2011.

Shri P.H. Parekh, learned senior counsel appearing for the Press Council of India which has filed an application for impleadment as a party and another application for directions says that his client may be permitted to withdraw the applications with liberty to avail other remedies.

The request of the learned senior counsel is accepted and the applications are disposed of as withdrawn in terms of the prayer made.

(Parveen Kr. Chawla)
Court Master

(Phoolan Wati Arora)
Court Master