

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 3628-3960 OF 2004

BANGALORE DEVELOPMENT AUTHORITY

Appellant (s)

VERSUS

R.JAYAKUMAR & ORS.

Respondent(s)

(With appln(s) for substitution and C/delay in filing substitution appln. and setting aside the abatement and permission to file additional documents and with office report )

WITH Civil Appeal NO. 3250 of 2005  
(With prayer for interim relief and office report)

Civil Appeal NO. 3961 of 2004  
(With office report)

Civil Appeal NO. 3962 of 2004  
(With prayer for interim relief and office report)

Civil Appeal NO. 3963 of 2004  
(With appln.(s) for directions and with office report)

Date: 09/04/2008 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR  
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Appellant(s)

Mr. Altaf Ahmad, Sr.Adv.  
Mr. S.K. Kulkarni, Adv.  
Mr. M. Gireesh Kumar, Adv.  
Mr. Vijay Kumar, Adv.

Mr. R.S. Hegde, Adv.  
Mr. Chandra Prakash, Adv.  
Mr. J.K. Nayyar, Adv.  
Mr. P.P. Singh, Adv.

For Respondent(s)

Mr. Dushyant Dave, Sr.Adv.  
Mr. R.S. Hegde, Adv.  
Mr. Chandra Prakash, Adv.  
Mr. J.K. Nayyar, Adv.

Mr. P.P. Singh, Adv.

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Mr. R.S.Hegde, Adv.  
Mr. Chandra Prakash, Adv.  
Mr. J.K. Nayyar, Adv.  
Mr. P.P. Singh, Adv.

Ms. Kiran Suri, Adv.  
Mr. P.P. Singh, Adv.

Mr. N.D.R.Rao, Adv.  
Mr. P.P. Singh, Adv.

Mr. S.N. Bhat ,Adv  
Mr. N.P.S. Panwar, Adv.

Mr. D.P. Chaturvedi, Adv.

Mrs.K. Sarada Devi ,Adv

Mr. E.C. Vidya Sagar ,Adv

Mr. Dayan Krishnan, Adv.

Mr. Gautam Narayan, Adv.

Mr. Samrat Singh, Adv.

Mr. Nikhil Nayyar ,Adv.

Mr.Khwairakpam Nobin Singh

Mr. David Rao, Adv.

Mr. Tarun Jamwal, Adv.

Mr. S. Biswajit Meitei, Adv.

Mr. Vijay Prakash, Adv.

Mr. Altaf Ahmad, Sr.Adv.

Mr. S.K. Kulkarni, Adv.

Mr. M. Gireesh Kumar, Adv.

Mr. Vijay Kumar, Adv.

Mr. P.R. Ramasesh, Adv.

UPON hearing counsel the Court made the following  
ORDER

Learned counsel for the respondent has filed an application along with the additional documents showing that the sites of 10 th March, 1988 notifications were still available for allotment but still they were not allotted. It

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is also pointed out that in the allotment order dated 12.11.1994 persons have been discriminated. Some persons have been charged at the rate of Rs.72,500/- for the site measuring 30' ft x 40' and some persons have been charged Rs.1,45,000/- for the same site. These are some of the facts which have been brought on record and need to be examined.

Learned Counsel appearing on behalf of the B.D.A. submits that he has been supplied this affidavit only recently. He would like to seek instructions and file a proper affidavit in deposition.

Looking to the nature of the averments made in the application needs to be properly met by a counter affidavit. Therefore, we give four weeks time to the appellant to file a proper counter affidavit to the allegation made in this application. Rejoinder Affidavit, if any, may be filed within two weeks thereafter.

Put up these matters after six weeks.

(Sukhbir Paul Kaur)  
Court Master

(Vijay Dhawan)  
Court Master