

ITEM NO.48

COURT NO.4

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 (C) No(s). 32452-32453/2013

(Arising out of impugned final judgment and order dated 09/10/2013 in WPC No. 4924/2013 09/10/2013 in CMA No. 14098/2013 passed by the High Court Of Delhi At New Delhi)

KALKAJI MANDIR VIKRETA SANGATHAN-II & ORS

Petitioner(s)

VERSUS

PIYUSH JOSHI & ORS.

Respondent(s)

WITH

SLP(C) No. 32845/2013

(With appln.(s) for permission to file additional documents and Interim Relief and Office Report)

S.L.P.(C)...CC No. 20364/2014

(With appln.(s) for permission to file SLP and Office Report)

Date : 15/02/2016 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Sonal Jain, AOR

Mr. Ramesh K. Mishra, Adv.
Mr. Rohit Kumar Singh, AOR

For Respondent(s) Mr. Suresh Chandra Tripathy, AOR

Mr. K.B. Rohtagi, AOR
Mr. Mahesh Kasana, Adv.
Ms. Aparna Rohtagi jain, Adv.

Mr. R.K. Bhardwaj, Adv.
Mr. Neeraj Bhardwaj, Adv.
Mr. Dheeraj Bhardwaj, Adv.
Mr. Satyendra Kumar, AOR

Mr. Mahabir Sharma, Adv.
Mr. Sanjeev Saroha, Adv.

Ms. Krithi Kumar, Adv.
Mr. Vikas Batra, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Ms. Vibha Duta Makhija, Sr. Adv.
Mr. Sridhar Potaraju, Adv.
Ms. Sadhana Sandhu, Adv.
Ms. Sushma Suri, Adv.

Ms. Pinky Anand, Adv.
Mr. P.K. Dey, Adv.
Ms. Haripriya, Adv.
Ms. Smidha Mehra, Adv.
Mr. D.S. Mahra, AOR

Respondent-in-person

Mr. Arun K. Sinha, Adv.
Mr. Basant Kumar Gupta, Adv.
Mr. Sumit Sinha, Adv.

Ms. Binu Tamta, AOR

Mr. B. Ramana Murthy, AOR

Ms. Sumita Hazarika, AOR
Mr. Prabhash Chandra, Adv.
Ms. Ipsita behura, Adv.

Mr. Balraj Dewan, AOR

Mr. Amit Gupta, Adv.
For M/s Mitter & Mitter Co.

Mr. K.S. Rana, AOR

Mr. Bimal Roy Jad, AOR

Mr. Rohit Kumar Singh, AOR

Mr. Abhijit Sengupta, AOR

Mr. Sarvesh Bhardwaj, Intervenor-in-person

Mr. Rajinder Mathur, AOR

Mr. Narender Kumar Verma, AOR

Mr. Rakesh Kumar, AOR

Ms. Sushma Suri, AOR

Mr. Sanjib K. Ray, Adv.
Mr. P. Narasimhan, AOR

Mr. P. Parmeswaran, AOR

Mr. Kush Bhardwaj, Adv.
Mr. Har Saroop Sharma, Adv.

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

It is submitted by Mr. Rakesh Kumar, learned counsel appearing for the South Delhi Municipal Corporation (for short, 'the Corporation') that in pursuance of the earlier order passed on 15.12.2015, 18 garbage bins have been kept at various places near the temple and the existing toilets have been properly renovated. It is his further submission that the Corporation would require four blocks to have more toilets as that is the necessity of the temple and keeping that in view, the Corporation has entered into correspondence with the competent authority of the Delhi Development Authority (DDA) for allotment of land.

Ms. Binu Tamta, learned counsel appearing for the DDA, submitted that the said application shall be considered. A copy of the requisition be handed over to Ms. Tamta, learned counsel appearing for the DDA. Another block where toilets have to be built is near the parking place. Regard being had to the need, it is directed that the Corporation would be at liberty to proceed with the construction near the parking area for certain toilets. It is hereby directed that none shall interfere with such construction as that is needed to maintain the cleanliness in the

proximate areas of the temple.

At this juncture, it was submitted by Mr. Rakesh Kumar, learned counsel for the Corporation and Mr. Bhardwaj, learned counsel appearing for respondent no.3 that there has to be sewage facility. On the last occasion, Mr. suresh Tripathi, learned counsel appearing for the Delhi Jal Board, has fairly stated that there is leakage and overflow in the area. It is submitted by Mr. Tripathi that the Committee constituted by this Court had visited the place along with the officers of the Jal Board and a plan has been submitted along with the estimate which is under consideration of the Jal Board. The Jal Board shall apprise this Court about the progress of the same on the next date of hearing. As far as the construction of toilets near the parking area is concerned, if any cooperation is required by the Corporation, the same shall be extended by the Jal Board.

The members of the Committee are requested to supervise regard being had to the aforesaid aspects as well as the facets which we have mentioned in the earlier order and file a report on the next date of hearing.

Let the matter be listed on 15.03.2016.

(Gulshan Kumar Arora)
Court Master

(Rajinder Kaur)
Court Master