

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA NOS.42-43 IN CIVIL APPEAL NO(s). 6962 OF 2005 & IA No.44 IN IA No. 40 IN CA No. 6962/2005 & IA NOS. 45 &.....IN CA NO. 6962/2005

R.K. MITTAL & ORS. Appellant (s)

VERSUS

STATE OF U.P. & ORS. Respondent(s)

(With appln(s) for directions,exemption from filing O.T.,extension of time and permission to file impleadment and office report)

Date: 01/03/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SWATANTER KUMAR
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For appearing parties:

Dr. Abhishek Singhvi, Sr. Adv.
Mr. J. Shergill, Adv.
Mr. Gaurav G., Adv.
Mr. Pradeep Kumar, Adv.
Ms. Garima Prasad, Adv.

for S.B.I. Mr. Mukul Rohtagi, Sr. Adv.
Mr. Sanjay Kapur, Adv.
Mr. Nikhil D., Adv.
Ms. Nupur Kanungo, Adv.

For Central Bank of India Mr. Jaideep Gupta, Sr. Adv.
Mr. Dinesh Mathur, Adv.
Mr. Nishant Menon, Adv. for
M/s. Dua Associates.

Mr. Rakesh Khanna, Sr. Adv.
Mr. Sonal Jain, Adv.
Mrs. Varsha Chaudhary, Adv.
Mr. Rishabh Raj Jain, Adv.
Mr. Rajiv Mohan Brahma, Adv.

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Mr. Jitendra Mohan Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Vibhor Verdhan, Adv.
Mr. Sameer Singh, Adv.
Mr. Ajit Sharma, Adv.

Mr. K.P. Sunder Rao, Adv.
Mr. Wajeesh Shafiq, Adv.
Mr. Prateek Tewari, Adv.
Mr. Chandan Kr. Rai, Adv.

For Union Bank of India Mr. O.P. Gaggar, Adv.

Mr. Vijendra Kumar, Adv.
Mr. Shaikh Chand Saheb, Adv.
Mr. Rajesh Goyal, Adv.

Mr. Ravindra Kumar, Adv.

Mr. Shail Kr. Dwivedi, AAG. (U.P.)
Mr. Shrish Kumar Misra, Adv.
Mr. G.V. Rao, Adv.

Mrs. Shiel Sethi, Adv. (NP)

Mrs. Rachana Joshi Issar, Adv. (NP)

Mr. Vinay Kumar Garg, Adv.

Mr. Himanshu Munshi, Adv.

Mr. Pahlad Singh Sharma, Adv.

Mr. Gopal Prasad, Adv. (NP)

Mr. Navin Chawla, Adv.

M/s. AP & J. Chambers

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

All the applications have been filed by different banks either for impleadment or for issuance of directions. We shall deal with all the applications collectively.

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Having heard learned counsel appearing for the parties at some length, we direct all the Chief Managers of all the applicants-banks to file their affidavits within one week from today before the Noida Authority showing/giving complete details of the premises which have been taken on lease by them and or the plots which have been allotted to them by the Noida Authority and further stating whether payments have been made or not, and if payments have been made, annexing the photocopies of the receipts of such payments. We make it clear that it shall be the abundant duty of the Chief Managers personally to give complete details along with the copy of the lease deed when such banks do propose to shift completely leaving the present premises in the residential/non-confirming areas vacant and stop using the same.

If, within one week, such affidavits are not filed by the Chief Managers of the Banks, the premises

of the banks shall be sealed by the Noida Authority without any further notice.

If such affidavits are filed, the Noida Authority shall prepare a complete chart giving

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details as well as the time prayed for. We may elucidate this observation, for example, where premises have been taken on lease but only lockers and strong rooms are to be constructed or where there are plots, entire building has to be constructed. That chart should be filed before this Court positively on or before 12th March, 2012.

We direct that a responsible officer of the Noida Authority to remain present in Court on the next date of hearing.

The learned counsel appearing for the Authority shall take specific instructions whether there are any constructed places available for being allotted to the banks or other sectors where such use is permissible.

Till that date, no sealing of such banks shall take place in any of the banks' premises.

The Noida Authority shall be at liberty to issue notices to all the landlords in whose premises the banks are carrying on their business, to which the landlords shall file their replies. However, no final order would be passed without leave of the Court.

This matter shall be listed before the Court on 16th March, 2012 at 2.00 p.m. with all the I.As.

[SUMAN WADHWA]
COURT MASTER

[M.S. NEGI]
COURT MASTER