

ITEM NO.2

COURT NO.4

SECTION X

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.No. 1 in I.A. No. 407 in W.P.(C) No. 1699/1987

PATRI VYAPAR MANDAL DELHI (REGD)

Petitioner(s)

VERSUS

M.C.D. TOWN HALL & ORS.

Respondent(s)

(For permission to file application and directions)

WITH

I.A.No.1 & C.P.(C) No. 170/2007 in I.A. No. 394
in I.A. No. 356 in WP(C) No. 1699/1987

HAWKERS WELFARE COMMITTEE THR. ITS PRESIDENT

Petitioner(s)

VERSUS

ASHOK NIGAM

Respondent(s)

(For directions)

CONTEMPT PETITION (CIVIL) No.323/2007 in WP(C) No. 1699/1987

PRAMOD KUMAR & ORS.

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

WITH

I.A. No. 366 in W.P.(C) No. 1699/1987

RAM SWAROOP & ORS.

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

(For directions)

I.A. No. 367 in W.P.(C) No. 1699/1987

RAJ KUMAR GHAI

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

(For directions)

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CONTEMPT PETITION (CIVIL) No. 126/2001

HAWKERS WELFARE COMMITTEE

Petitioner(s)

VERSUS

S.P. AGGARWAL & ANR.

Respondent(s)

I.A. No. 361 in W.P.(C) No. 1699/1987

HAWKERS WELFARE COMMITTEE

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

(For directions)

I.A. Nos. 372-373 in W.P.(C) No. 1699/1987

HAWKERS WELFARE COMMITTEE

Petitioner(s)

VERSUS

M.C.D. & ORS. Respondent(s)
(For directions)
(ALONG WITH THE RECORD OF CONTEMPT PETITION (C) NO. 187/2000)

I.A. No. 389 in W.P.(C) No. 1699/1987

HARBHAJAN SINGH BEDI Petitioner(s)
VERSUS

M.C.D. & ORS. Respondent(s)
(ALONG WITH RECORD OF I.A.NO.356)

I.A. No. 392 in W.P.(C) No. 1699/1987

SHRI PRAMOD KUMAR & ANR. Petitioner(s)
VERSUS

ASSISTANT COMMISSIONER, MCD & ANR. Respondent(s)
(For directions)

WITH

W.P.(C) No. 535/2001

RAJ KARAN Petitioner(s)
VERSUS

MUNICIPAL CORPORATION OF DELHI & ANR. Respondent(s)
(With office report)

W.P.(C) No. 240/2004

VIJAY PANDEY & ORS. Petitioner(s)
VERSUS

M.C.D. & ORS. Respondent(s)

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(With appln. for ex-parte stay and office report)

I.A. Nos. 397-398 in W.P.(C) No. 1699/1987

OM PAL ETC. Petitioner(s)
VERSUS

ASSISTANT COMMISSIONER, MCD & ANR. Respondent(s)
(For directions)

I.A. No. 399 in I.A. No. 394 in W.P.(C) No. 1699/1987

SUDHIR MADAN & ORS. Petitioner(s)
VERSUS

M.C.D. & ORS. Respondent(s)
(For modification of Court's order dated 09.08.2004)

I.A. Nos. 1-2 in W.P.(C) No. 100/2002

NEW LAJPAT RAI MARKET PATRI HAWKERS UNION Petitioner(s)
VERSUS

MUNICIPAL CORPORATION OF DELHI & ORS. Respondent(s)
(For directions and exemption from filing O.T.)

I.A.No..../2005 in I.A.No. 394 in I.A.No. 356 in W.P.(C) No. 1699/1987

NAND KISHORE & ANR. Petitioner(s)
VERSUS

M.C.D. & ORS. Respondent(s)
(For impleadment)

I.A.No..../2005 in I.A.No. 394 in I.A.No. 356 in W.P.(C) No. 1699/1987

NAND KISHORE & ANR. Petitioner(s)
VERSUS

M.C.D. & ORS. Respondent(s)
(For modification)

I.A. No.400 in W.P.(C) No. 1699/1987

WITH

I.A. Nos.408-409 in W.P.(C) No. 1699/1987

SELF EMPLOYED WOMEN'S ASSOCIATION
VERSUS

Petitioner(s)

M.C.D. & ORS.

Respondent(s)

(For intervention and directions)

I.A. No.410 in W.P.(C) No. 1699/1987

GAINDA RAM AND ORS.

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

(For for directions on behalf of M.C.D.)

WITH

CONTEMPT PETITION (CIVIL) No.183 in W.P.(C) No. 1699/1987

NEW PATRI VYAPAR MANDAL DELHI(REGD.)

Petitioner(s)

VERSUS

SHRI ASHOK NIGAM AND ORS.

Respondent(s)

WITH

C.P. (C) No.....(D. No.4361/2009) in W.P.(C) No. 1699/1987

CHANDNI CHOWK VYAPAR MANDAL

Petitioner(s)

VERSUS

RAJEEV SHARMA AND ORS.

Respondent(s)

(With office report)

Date: 05/03/2009 These matters were called on for hearing today.

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CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

For Petitioner(s)/Applicant(s)

Respondent(s)

Ms. Kavita Wadia,Adv.

Mr. Rakesh K. Khanna, Sr.Adv.

Dr. Rashmi Khanna,Adv.

Mr. Surya Kant,Adv.

Mr. Pranav Vyas,Adv.

Mrs. Shailja Sinha,Adv.

Mr. Amrit Singh,Adv.

Ms. Asha G. Nair,Adv. (N.P.)

Mr. M.M. Kashyap,Adv.

for Mr. Lalit Khanna,Adv.

Ms. Madhu Moolchandani,Adv.

Mr. Chander Shekhar Ashri,Adv. (N.P.)

Mr. Subramonium Prasad,Adv.

Mr. Mohan Pandey,Adv.

Mr. S.C. Patel, Adv.
Mr. Varinder Kumar Sharma, Adv. (N.P.)
Ms. Prasanthi Prasad, Adv. (N.P.)

for Ms. Gouri Karuna Das, Adv.
Ms. Anu Gupta, Adv.
Mr. Bhakati Pasrija, Adv.
Ms. Rani Jethmalani, Adv.

Mr. Ranjit Kumar, Sr. Adv.
Mr. K.K. Mohan, Adv.

Dr. S.K. Verma, Adv. (N.P.)

Mr. Shakeel Ahmed, Adv.

Ms. Kamini Jaiswal, Adv. (N.P.)

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Mr. Prashant Bhushan, Adv.
Mr. Somesh Rattan, Adv.

Mr. V.K. Verma, Adv. (N.P.)

Ms. Indira Jaising, Sr. Adv.
Mr. Shanker K. Jha, Adv.
Mr. T.V. George, Adv.
Mr. Manak, Adv.

Ms. Indra Sawhney, Adv. (N.P.)

For M/o U.D. for Mrs. Kiran Bhardwaj, Adv.
Ms. Sushma Suri, Adv./Mr. B.K. Prasad, Adv.

For Delhi Police Mr. S. Wasim A. Qadri, Adv.
Mr. M.P.S. Tomar, Adv.
Ms. Varuna Bhandari, Adv.
Mr. Mukesh Verma, Adv.
for Mrs. Anil Katiyar, Adv.

For M.C.D. Mr. Ravi Shankar Prasad, Sr. Adv.
Mr. Sanjiv Sen, Adv.
for Mr. Praveen Swarup, Adv.

Ms. Geeta Luthra, Adv.
Mr. D.N. Goburdhan, Adv.
Mr. Ranjan Narain, Adv.

M/S. Arputham, Aruna & Co., Advs. (N.P.)

UPON hearing counsel the Court made the following
ORDER

I.A.No. 1 in I.A. No. 407 in W.P.(C) No. 1699/1987:

Mr. Sanjiv Sen, learned counsel appearing on behalf of the Municipal Corporation of Delhi files before us a document giving the following details:

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S.No.	Ward No.	Provisional Letter issued	Final Letter issued	Case Not found in order	Remarks
1.	69-Kamla	01	--	01	Not responded

2.	Nagar 73-Shastri Nagar	12	--	12	Not found eligible under Gainda Ram Scheme
3.	75-Kishan Ganj	03	--	03	02-case not found under Gainda Ram Scheme
4.	76-Deputy Ganj	100	72	28	01-Not responded 11- Not responded 02- Applicant expired before application submission. 08-Mutation paper not submitted. 03-Already found allotted site in Pan Mandi. 04-Rejected due to not found eligible under Gainda Ram Scheme
5.	85-Idgah Road	20	09	11	8-Site withheld due to objection of DCP/North. 03-Already found allotted site in Pan Mandi
6.	87-Nabi Karim	02	--	02	02-Site withheld due to objection of DCP/North.
7.	88-Qasabpura	07	--	07	Site withheld due to objection of DCP/North
8.	89-Pahar Ganj	25	15	10	06-Case not found eligible under Gainda Ram Scheme. 01-Already allotted site at Rattan Veg. Mkt. 01-Mutation paper not submitted. 02-Site disputed.

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S.No.	Ward No.	Provisional Letter issued	Final Letter issued	Case Not found in order	Remarks
9.	90-Model Basti	09	02	07	06-Case not found under Gainda Ram Scheme.
		<hr/>	<hr/>	<hr/>	1-Already allotted site at Chitra Gupta Road.
		179	98	81	

It is stated by Mr. Sen that out of 98 persons in whose favour final letters of allotment have been issued, about 15-20 persons have already taken possession and the Municipal Corporation of Delhi is ready and willing to hand over physical possession of the sites to the respective allottees at any time. The allottees may contact Mr. Darshan Kumar, Assistant Commissioner of M.C.D., Sadar Bazar Zone, Delhi, tomorrow i.e. on 6th March, 2009 at 2.00 p.m. who shall take all steps to hand over physical possession of the sites the allottees.

C.P.(C) D.NO.4361/09 IN WP(C)No.1699/1987:

Let this contempt petition be treated as an interlocutory application for the time being.

Let notice be issued to the Municipal Corporation of Delhi as also the Delhi Policy through Asstt. Commissioner of Police, Kotwali.

Mr. Qadri accepts notice on behalf of Delhi Police through ACP,

Kotwali.

Mr. Sen accepts notice on behalf of MCD.

I.A. No. 1 @ C.P.(C) No. 170/2007 in I.A. No. 394
in I.A. No. 356:

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We may place on record that Mr. Sen makes a statement before us that Zonal Vending Committee as also the Ward Vending Committee as well as the Appellate Authority have been appointed. Ms. Rekha Rani of Higher Judicial Service has been appointed as Head of the Zonal Vending Committee and Hon'ble Justice J.P. Singh, a retired Judge of Delhi High Court has been appointed as the Chairman of the Appellate Authority.

Mr. Sen assures us that for the purpose of functioning of the respective committees and the appellate authority, requisite infrastructure including space shall be provided within two weeks from date.

I.A.Nos.408-409, 410 & I.A. No...../2009 in I.A.No. 403 in W.P.(C) No. 1699/1987:

Arguments concluded.
Judgment reserved.

REMAINING MATTERS:
Adjourned.

(A.S. BISHT) (SUBHASH CHANDER) (PUSHAP LATA BHARDWAJ) COURT
MASTER A.R.-cum-P.S. COURT MASTER