

ITEM NO.1

COURT NO.5

SECTION X/XIV

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

RECORD OF PROCEEDINGS

I.A. No. 394 in I.A. No. 356 in W.P. (C) No. 1699/87

SUDHIR MADAN & ORS.

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

(For directions)

WITH

I.A. No. 396 in With Contempt Petition (C) No. 506/02

CHANDNI CHOWK SARV VYAPAR MANDAL VS. RAKESH MEHTA & ORS.

(for impleadment)

With SLP(C) NO. 7025/03

GRAM KALYANKARI YUVA SANSTHA VS. M.C.D. & ANR.

(With prayer for interim relief)

I.A. NO. 407 IN W.P. (C) NO. 1699/87

PATRI VYAPAR MANDAL DELHI (REGD.) VS. M.C.D. TOWN HALL & ORS.

(for permission to file application)

Date: 20/02/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner/(s)
Applicants

Mr. S.K. Sinha, Adv.

In I.A. No. 407 &

Mr. Colin Gonsalves, Sr. adv.

Cont. pet.215/06

Ms. Kavita Wadia, Adv.

Ms. Rani Jethmalani, Adv. (NP)

Mr. S.N. Pandey, Adv. (In SLP(C) 7025/03)

Mr. C.S. Ashri, Adv.

For Respondent(s)

For MCD

Mr. Sanjiv Sen, Adv.

Mr. Praveen Swarup, Adv.

Mr. V. Sekhar, Sr. Adv.

Mr. Sudhir K. Sajwan, Adv.

Ms. Prasanthi Prasad, adv.

Mr. Shiv Kumar, Adv. (A.C.)

Ms. Indra Sawhney, Adv.

Mr. Rajan Narain, Adv.

Mr. Ashok Bhan, Adv.

Mr. S.W.A. Qadri, Adv.

Mr. M.P.S.Tomar, Adv.

Mr. D.S. Mahra, Adv.

Mrs. Anil Katiyar, Adv.

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For M/O U.D.

Mr. Vikas Singh, ASG

Mr. Krishan Mahajan, Adv.

Mr. Rakesh Garg, Adv.

Mr. V.K.Verma, Adv.

For Delhi Police

Mr. Ashok Bhan, Adv.

Mr. SWA Qadri, Adv.

Mr. D.S. Mahra, Adv.

Mrs. Usha Kumar, Adv.

Mr. K.K. Mohan, Adv.

Mr. Ravindra Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No. 394 in I.A. No. 356 in WP(C) No. 1699/1987

We have heard counsel for the parties.

It is submitted on behalf of the applicants that only two applicants, namely,

Ram Swarup (Applicant No. 1) and Ashwini Kumar (Applicant No. 3) are now pressing

the present application. The application is not pressed on behalf of other applicants who

were tehbazari right holders.

Mr. Sanjiv Sen, learned counsel for the M.C.D. states that alternative sites

have been offered to the applicants in Tughlakabad and Defence Colony where such sites

are available. Counsel for applicants Ram Swarup and Ashwini Kumar states that if

these two applicants are allotted tehbazari in Defence Colony, they will have no objection

to shift to that area. In these circumstances, we direct the M.C.D. to allot two sites of

equal size within the Defence Colony area to the aforesaid two applicants.

For the time being we do not wish to pass any other direction.

I.A. No. 407 in WP(C) No. 1699/1987

Issue notice.

Counsel for the M.C.D., present in Court, accepts notice.

Let reply be filed within three weeks. Rejoinder, if any, may be filed within

three weeks thereafter.

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I.A. No. 396 in Cont. Pet. (C) No. 506/2002

No one appears to press this application. The same is, accordingly, dismissed for non-prosecution.

SLP(C) No. 7025/2003

Let another set of papers be handed over by counsel for the petitioner to the counsel for M.C.D.

Counter affidavit be filed within three weeks. Rejoinder, if any, may be filed within three weeks thereafter.

(Ajay Kr. Jain)

Court Master

(Vijay Dhawan)

Court Master