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W.P(C)No. 749 OF 1995
ITEM No.35

Court No. 2

SECTION PIL
A/N MATTER

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

Writ Petition(Civil) No.749/1995

SUPREME COURT MONITORING COMMITTEE

Petitioner (s)

VERSUS

MUSSOORIE DEHRADUN DEV. ATY. & ORS

Respondent (s)

(With Appln(s). for directions)

With
WRIT PETITION (C) NO. 469 OF 1996@@
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MUSSORIE ESTATE OWNERS ASSON.

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Petitioner(s)

Versus

STATE OF U.P. & ORS.

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Respondent(s)

(For Directions)

SUO MOTU CONT. PETN.(C) NOS. 14-134 OF 1998@@
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in WP(C) No. 749 of 1995@@
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IN RE: MUSSORIE PUBLIC SCHOOL & ORS.

SLP (C) Nos. 20791-20792 OF 2001@@
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NAGAR PALIKA PARISHAD SRINAGAR GARHWAL

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Petitioner(s)

Versus

GARHWAL MANDAL VIKAS NIGAM

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Respondent(S)

(with appln.(s) for c/delay in filing SLP and exemption from
filing c/c of the impugned judgment and with prayer for interim
relief)

Date : 07/01/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN
HON'BLE MR. JUSTICE ARIJIT PASAYAT

Amicus Curiae

Mr. Harish N Salve, SG

For Petitioner (s)

Mr. Prashant Bhushan, Adv.

Mr. Prashant Kumar, Adv.

Mr. Prasenjit Keswani and Mr. Joseph

Pookkatt, Adv.

...2/-

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Mr. Dinesh K. Garg, Adv.

For Respondent (s)
State of U.P.

Mr. Ajay K. Agrawal, Adv.
Mr. C Siddharth, Adv.

State of Uttranchal

Mr. Ajay K. Agrawal, Adv.
Mr. Mahesh Chandra, Adv.

For M.D.D.A.

Mr. Ajay K. Agrawal, Adv.
Ms. Anamika Agrawal, Adv.

For U.O.I.

Mr. A.D.N. Rao, Adv.
Ms. Anil Katiyar, Adv. (NP)

Mr. A. Rab, Adv.
M/s Giridhar G. Upadhyay, Syed Ali Ahmad,
Syed Tanweer Ahmed, Vikas Bansal and
R.D. Upadhyay, Adv.

Mr. H K Puri, Adv.
Mr. S K Puri, Mr. Ujjwal Banerjee and
Ms. Anindita Gupta, Adv.

Mr. S.S. Jauhar, Adv.

Mr. Dinesh Kumar Garg, Adv.

Mr. Ashok K. Srivastava, Adv.

Mr. Prashant Kumar, Adv.
Mr. Prasenjit Kumar, Adv.
Mr. Joseph Pookkatt, Adv.

Mr. N N Kswani
Mr. R.N. Keshwani, Adv.

Mr. Debasis Misra, Adv.

Mr. P.N. Gupta, Adv.

Mr. S.K. Mehta, Adv.

UPON hearing counsel the Court made the following

O R D E R

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The Report of the District Judge shows large scale illegal construction which has taken place. The experience has been that despite notices which are issued for demolition, wherever excess construction or illegal construction has taken place, no demolition in effect is carried out and the wrong-doers continue to take benefit of

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their wrongful action by occupying and utilizing the excess areas so constructed. We can also take judicial notice of

