

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

RECORD OF PROCEEDINGS

I.A.Nos.15 & 16 in Writ Petition (C) No.749 of 1995

SUPREME COURT MONITORING COMMITTEE

Petitioner(s)

VERSUS

MUSSOORIE DEHRADUN DEV. ATY. & ORS

Respondent(s)

(For directions and impleadment)

Date: 06/11/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s) Mr. Harish N. Salve, Sr.Adv. (A.C.) (NP)

Mr. Prashant Bhushan, Adv.

For Applicant in

IA 15-16: Mr. Mukul Rohtagi, Sr.Adv.

Mr. C. Mukund, Adv.

Mr. Neeraj Anand, Adv.

Mr. Pankaj Jain, Adv.

Mr. Bijoy Kumar Jain, Adv.

For Respondent(s) Mr. S.K. Gambhir, Sr.Adv.

Mr. H.K. Puri, Adv.

Mr. Ujjwal Banerjee, Adv.

Mr. S.K.Puri, Adv.

Ms. Priya Puri, Adv.

Mr. V.M. Chauhan, Adv.

Ms. Vinita G.Upadhyay, Adv.

Mr. R.D. Upadhyay, Adv.

Mr. Giridhar G. Upadhyay, Adv.

Mr. Syed Tanweer Ahmad, Adv.

Mr. J.P. Tripathi, Adv.

Mrs. Sunita Sharma, Adv.

Mr. Sushma Suri, Adv.

for Mrs. Anil Katiyar, Adv.

Mr. A.D.N. Rao, Adv.

Mr. Hemant Sharma, Adv.

Mr. R.C. Kathia, Adv.

Mr. Rohan Thawani, Adv.

1

Ms. Pooja Dhar, Adv.

Mr. Vishwajit Singh, Adv.

Mr. Ajay K. Agrawal, Adv.

Ms. Alka Agrawal, Adv.

Ms. Anamika Agrawal, Adv.

Mr. Dhruv Mehta, Adv.

Mr. Harshvardhan Jha, Adv.

Mr. Yashraj Deora, Adv.

Mr. MannoJ Mehta, Adv.

for M/s. K.L. Mehta & Co., Adv.

Mr. Prashant Kumar, Adv.

Mr. S.S.Jauhar, Adv.

Mr. Dinesh Kumar Garg, Adv.

Mr. Ashok K. Srivastava, Adv.

Mr. R.N. Keshwani, Adv.
Mr. Debasis Misra, Adv.
Mr. P.N. Gupta, Adv.
Mr. Kamalendra Misra, Adv.
Mr. S.N. Terdal, Adv.
Ms. Manjula Gupta, Adv.
Mr. Raj Kumar Mehta, Adv.
Mrs. D.Bharathi Reddy, Adv.
Ms. Rachana Srivastava, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.Nos.15 & 16:

The prayer of the applicant-School for construction of gymnasium has been

examined by the Ministry of Environment and Forests in terms of Section 2 of the Forest

(Conservation) Act, 1980 and permission granted, subject to the orders of this Court, on

the conditions stipulated in para 15 of the affidavit of Shri N.C. Bahuguna, dated 14th

November, 2005.

Having heard learned counsel, we permit the applicant to construct the

gymnasium subject to the applicant's complying with conditions (a) to (f) and (h) of

paragraph 15 of the said affidavit. Learned counsel for the applicant submits that his

client has no objection to those conditions and accepts the same. In respect of condition (g)

about payment of fine, we find that the accused in Case No.1353 of 1999 have already been

convicted and sentenced in terms of the order of the Chief Judicial Magistrate, Dehradun

dated 29th January, 2005. In this view, we do not think it necessary to impose any further

fine on the applicant as a condition for construction of gymnasium. However, we find that

2

the views of the Monitoring Committee are not available on record. The Monitoring

Committee can still consider and if it has any serious objections, it may place the same

before this Court so that, if necessary, the matter can be re-examined.

The applications are disposed of accordingly.

I.A.Nos.13-14:

List these applications in December, 2006.

(N. Annapurna)

Court Master

(V.P. Tyagi)

Asstt. Registrar

3