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CONTEMPT P.(Civil) 470 OF 1998

Item No. 23

Court No. 3

SECTION XIV
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

Contempt Petition (Civil) Nos. 470/1998 in C.A. No. 4579/1995

GHANSHYAMDAS KEDIA & ORS

Petitioner (s)

VERSUS

KIRAN AGARWAL & ORS

Respondent (s)

(With Office Report)

Date : 17/09/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner(s) Mr. M.C. Bhandare, Sr. Adv.
Mr. M.P. Shorawal, Adv.
Mr. B R Sabharwal, Adv.

For Respondent(s) Mr. K.N. Raval, ASG.
Mr. V.B. Saharya, Adv. for
for M/s. Saharya & Co., Adv.

UPON hearing the counsel, the Court made the following
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.SP2

The Contempt Petition is disposed of.
The cost of Rs. 10,000/- to be given to the
appellant.

.SP1

Kalyani. (S.L. GOYAL) @@
AA
COURT MASTER@@
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(Signed Order is placed on the file.)

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NO. 470 OF 1998@@
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IN@@

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CIVIL APPEAL NO. 4579 OF 1995@@
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Ghanshyam Das Kedia & Ors. Petitioners

Versus

Kiran Agarwal & Ors. Respondents

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Notwithstanding a fresh affidavit having been filed, we are not satisfied that any development expenditure has been incurred by the D.D.A. in relation to the plot in question or to the neighbouring plots or in the same area as the land in question. In this Court's order dated 23rd July, 2001, it has been explained that the expression "same area" would ordinarily be the same village in which the land in question is situate, namely, Kalu Sarai. There is nothing to show that after the acquisition of the land in question and before its release in favour of the petitioners, there was any expenditure incurred by the D.D.A. in this behalf. The land having already been given to the petitioners, no further orders are called for.

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The Contempt Petition is disposed of. The release be made in terms of this Court's order of April 1997. Notice on contempt stands discharged.

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(B.N. KIRPAL)

New Delhi,J

September 17, 2001.

(ASHOK BHAN)