

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

I.A. Nos.460, 467 & 468 in W.P.(C) No.13381 / 1984

M.C. M E H T A

Petitioner(s)

V E R S U S

U N I O N O F I N D I A & O R S .

Respondent(s)

[For directions on behalf of the State of U.P., exemption from filing O.T. and permission to file additional documents]

With

I.A.No.470 in W.P.(C)No.13381 / 1984 [For directions];
I.A.No.471 in W.P.(C)No.13381 / 1984
[For directions on behalf of India Tourism Dev. Corpn.];
I.A.No.474 in I.A. No.444 in W.P.(C)No.13381 / 1984
[For directions on behalf of Indian Oil Corporation Ltd.];
I.A.No.478 in W.P.(C)No.13381 / 1984 [For directions];
I.A.No.479 in W.P.(C)No.13381 / 1984 [For directions];
I.A.No.480 in W.P.(C)No.13381 / 1984 [For directions]; and
I.A.Nos.481 & 483 in W.P.(C)No.13381 / 1984
[For directions and permission to file counter affidavit].

Date: 16/03 / 2 009 These Petitions were called on for hearing today.

C O R A M :

HON' B L E M R. J U S T I C E S . B . S I N H A
HON' B L E M R. J U S T I C E S . H . K A P A D I A
HON' B L E M R. J U S T I C E D . K . J A I N

Mr. Krishan Mahajan, Adv. (A.C.)

For Petitioner(s)/
Applicant (s)
in IA No.460,
467 & 468

Mr. Dinesh Dwivedi, Sr. Adv.
Mr. T.N. Singh, Adv.
Mr. Rajeev Dubey, Adv.
Mr. Kamendra Mishra, Adv.

IA Nos.470, 478,
479, 480 & 481

Mr. M.C. Mehta- in-person (Not present)

IA No.471
IA No.474 in
IA No.444

Mr. Surya Kant, Adv. (Not present)
Mr. A.D.N. Rao, Adv.

I.A.No.460 etc. in W P(C)No.13381 / 84 (contd.)

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For Respondent(s)

Mr. S. Wasim A. Qadri, Adv.
Mrs. Kiran Bhardwaj, Adv.
Mr. A. Dev Kumar, Adv. for
Mr. D.S. Mahra, Adv.

For CPC B

Mr. Vijay Panjwani, Adv.
Mr. Pradeep Mishra, Adv.

For Agra Dev.

Mr. Ashok K. Srivastava, Adv.

Authority

UPON hearing counsel the Court made the following
O R D E R

I.A.No.460

By reason of an order dated 09 th February 2009, we directed :

"By way of last indulgence, two weeks' time is granted so as to enable the Forest Advisory Committee to file an affidavit in terms of this Court's order dated 13.10.2008.

We make it clear that if no affidavit is filed within the aforesaid period, a strict view of the matter shall be taken.

List after three weeks."

Despite the same, Mr. Qadri, the learned counsel appearing on behalf of the Forest Advisory Committee prays for two weeks' further time. We are dismayed to notice the conduct on the part of the Forest Advisory Committee for not bestowing enough attention to our order. We, however, as prayed for, grant two weeks' time subject to payment of Rs.20,000 /- (Rupees twenty thousand) by way of costs payable to National Legal Services Authority.

Union of India will be at liberty to recover the amount of the costs from the responsible officers concerned.

I.A.No.460 etc. in W P(C)No.13381 / 84 (contd.)

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I.A.No.474

Mr. A.D.N. Rao, the learned counsel appearing on behalf of Archaeological Survey of India also prays for three weeks time. We grant three weeks' time on similar terms as has been granted in I.A.No.460.

I.A.No.470

Agra Development Authority has filed response to the report of the Monitoring Committee. Response thereto may be filed within two weeks.

I.A.No.471

Nobody appears to press this application. The application is dismissed for non-prosecution.

I.A.Nos.478- 481

Counter affidavit to the applications filed by the applicant has been filed by the Agra Development Authority. The State of U.P. adopts the said counter affidavit.

Response to the counter affidavit may be filed within two weeks.

In the meantime, the Monitoring Committee may also visit the site again qua the counter affidavit and if so advised file a report.

List these I.As along with I.A.No.470 separately after two weeks.

(Subhash Chander)
A.R. - cum-P.S.

(Pushap Lata Bhardwaj)
Court Master