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OUT TODAY

ITEM NO.2

COURT NO.3

SECTION X

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.660 OF 2005

STATE OF KARNATAKA

Petitioner(s)

VERSUS

SECRETARY, M/O WATER RESOURCES & ORS.

Respondent(s)

(With office report)

Date: 13/07/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s)

Mr. F.S. Nariman, Sr. Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. B.S. Patil, Adv.

Mr. Anil K. Mishra, Adv.

Mr. Mohan V. Katarki, Adv.

Mr. A. Rohen Singh, Adv.

Mr. Brijesh Kallappa, Adv.

Mr. Subhash Sharma, Adv.

For Respondent(s)

No.1

Mr. A. Sharan, ASG

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

Mr. D.S. Mahra, Adv

No.2

Mr. A. Sharan, ASG

Mr. V.K. Verma, Adv.

No.3

Mr. T.N. Rao, Adv.

No.4

Mr. T.R. Andhyarujina, Sr. Adv.

Mr. D.M. Nargolkar, Adv.

....2/-

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UPON hearing counsel the Court made the following

O R D E R

Today an affidavit has been filed on behalf of Respondent No.2 stating therein that Type VII Bungalow No.AB-06 at Pandara Road has been allotted to Mr. Justice S.P. Srivastava, who is a Member of Krishna Water Disputes Tribunal. Although it has not been stated in the affidavit, that this learned Additional Solicitor General made statement at the bar that this house is lying vacant and the learned Member shall be informed without any delay for occupying the same.

It has been further stated in the affidavit that another Member of the Tribunal, Mr. Justice D.K. Seth has not been allotted any house as he informed the Government that, for the present, he does not require any Government accommodation and will make a request when so required.

Now, in relation to the former Judge of this Court, Shri Justice

Brijesh Kumar, Chairman of Krishna Water Disputes Tribunal, it has been

stated in the affidavit that he is entitled to Type VIII B
Bungalow and

Bungalow No.04 at Akbar Road has been allotted to him. It has been further

stated that the said Bungalow at present is in occupation of
Smt. Najma

Heptullah, Member of Parliament and former Deputy Chairman of Rajya

Sabha and another house has been allotted to her, which
is Bungalow

No.16, Teen Murti

....3/-

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Lane. Though it has not been stated in the affidavit whether Bungalow

No.04 at Akbar Road has been vacated or not, learned Additional Solicitor

General stated that it has not been vacated, but he will make all possible

efforts for its vacation within a period of two weeks and after it is
so

vacated, the learned Chairman shall be informed accordingly. In view of

this, it would be just and expedient to adjourn this matter for two weeks. It

is made clear that all possible efforts should be made at every level so that

the house in question is vacated within the said time and this Court is not

compelled to pass any harsh order.

Place this matter on 27th July, 2006.

[Alka Dudeja]

Court Master

[Om Prakash]

Court Master