

ITEM NO.54

COURT NO.6

SECTION III-A

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

CONMT.PET.(C) No. 595/2025 in C.A. No. 14604/2024

BIMALENDU PRADHAN

Petitioner(s)

VERSUS

STATE OF ODISHA

Respondent(s)

WITH

CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024 (III-A)
FOR INTERVENTION APPLICATION ON IA 13767/2026
FOR APPLICATION FOR PERMISSION ON IA 13768/2026
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 13769/2026
FOR EXEMPTION FROM FILING O.T. ON IA 13770/2026
IA No. 13768/2026 - APPLICATION FOR PERMISSION
IA No. 13769/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 13770/2026 - EXEMPTION FROM FILING O.T.
IA No. 13767/2026 - INTERVENTION APPLICATION

Diary No. 45309/2025 (III-A)
FOR impleading party ON IA 195150/2025
FOR INTERVENTION/IMPLEADMENT ON IA 195150/2025
FOR MODIFICATION OF COURT ORDER ON IA 195168/2025
IA No. 195150/2025 - INTERVENTION/IMPLEADMENT
IA No. 195168/2025 - MODIFICATION OF COURT ORDER

CONMT.PET.(C) No. 851/2025 in C.A. No. 14604/2024 (III-A)
FOR EXEMPTION FROM FILING PAPER BOOKS ON IA 280591/2025
FOR EXEMPTION FROM FILING O.T. ON IA 305048/2025
IA No. 305048/2025 - EXEMPTION FROM FILING O.T.
IA No. 280591/2025 - EXEMPTION FROM FILING PAPER BOOKS

Diary No. 69714/2025 (III-A)

IA No. 7201/2026 - EXEMPTION FROM FILING PAPER BOOKS

Diary No. 71735/2025 (III-A)

IA No. 325559/2025 - EXEMPTION FROM FILING O.T.

IA No. 325554/2025 - EXEMPTION FROM FILING PAPER BOOKS

Diary No. 70173/2025 (III-A)

IA No. 19380/2026 - EXEMPTION FROM FILING O.T.

IA No. 19382/2026 - EXEMPTION FROM FILING PAPER BOOKS

Date : 27-01-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE SANDEEP MEHTA

**For Petitioner(s) :Mr. Shadan Farasat, Sr. Adv.
Mr. Kaustubh Chaturvedi, Adv.
Ms. Sarah Sunny, Adv.
Mr. Priyanshu Upadhyay, Adv.
Mr. Pradeep Yadav, Adv.
Mr. Durga Dutt, AOR**

**Mr. Srikant Singh, Adv.
Mr. Mukesh Kumar, Adv.
Mr. Yp Singh, Adv.
Ms. Munisha Anand, Adv.
Mr. Pankaj Gupta, Adv.
Mr. Akash, Adv.
Ms. Annpurna Goel, Adv.
Mr. Danish Alvi, Adv.
Mr. Ashish Pandey, AOR**

**Mr. Pranay Ranjan, Adv.
Mr. Mrigank Prabhakar, AOR
Ms. Astha Singh, Adv.
Ms. Rachna Ranjan, Adv.
Ms. Sarita Kumari, Adv.**

**Ms. Astha Sharma, AOR
Mr. Sanjeev Kaushik, Adv.
Mr. Simranjeet Singh Rekhi, Adv.**

Ms. Debatmaja Ghosh, Adv.

Mr. Aruneshwar Gupta, Sr. Adv.
Mr. Chand Qureshi, AOR
Mr. R.santhana Krishnan, Adv.
Mr. Udey Krishna Ganesnan, Adv.
Mr. Kesav, Adv.
Mr. Raj Kumar Yadav, Adv.
Mr. Nand Ram, Adv.
Mr. Vijay Kumar, Adv.
Mr. Sundeep Pandhi, Adv.
Mr. Pahlad Singh Sharma, AOR

Mr. Shadan Farasat, Sr. Adv.
Mr. Kaustubh Chaturvedi, Adv.
Ms. Sarah Sunny, Adv.
Mr. Karan Verma, AOR

Mr. Tushar Jain, AOR
Ms. Kanika Gupta, Adv.
Mr. Pradul Singhal, Adv.

For Respondent(s) : Ms. Mithu Jain, AOR

Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Aditi Mishra, Adv.
Mr. Kamendra Mishra, AOR

Mr. R. Venkataramani, Attorney General for
India

Mr. Abhishek Kumar Singh, AOR
Mr. Abhinav Jaganathan, Adv.
Ms. Pallavi Singh, Adv.
Ms. Anamika Yadav, Adv.
Ms. Yamika Khanna, Adv.

Mr. Shaurya Sahay, AOR
Mr. Aman Jaiswal, Adv.

M/S. Krishna & Nishani Law Chambers, AOR

Dr. Purvish Malkan, Sr. Adv.
Mr. Krishna M. Singh, AOR

Mr. Siddhant Nath, Adv.
Ms. B. Makhija, Adv.
Ms. Deepti Singh, Adv.
Mr. Amaan Khan, Adv.

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

Item No.54 CONMT.PET.(C) No. 595/2025 in C.A. No. 14604/2024

1. The State of Odisha would like to file an additional affidavit for the purpose of reporting compliance of the directions issued by this Court.
2. Let such additional affidavit be filed within a period of four weeks from today.
3. One copy of the additional affidavit that may be filed shall be served well in advance to the learned counsel appearing for the original petitioner.

Item No.54.1 CONMT.PET.(C) No. 877/2025 in C.A. No. 14604/2024

1. Heard Mr.Tushar Jain, the learned counsel appearing for the contempt petitioner(s), Mr. R. Venkataramani, the learned Attorney General for India appearing for the Parishad and Mr. Purvish Malkan, the learned senior counsel appearing for the intervenor(s).
2. Our final directions issued in the judgment rendered on 17.12.2024 in Civil Appeal No.14604 of 2024 reads thus:-

"21. Therefore, in the larger public interest, we are inclined to issue the following directions, in addition to the directives issued by this Court in Re: Directions in the matter of demolition of structures (supra):

(i) While issuing the building planning permission, an undertaking be obtained from the builder/applicant, as the case may be, to the effect that possession of the building will be entrusted and/or handed over to the owners/beneficiaries only after obtaining completion/occupation certificate from the authorities concerned.

(ii) The builder/developer/owner shall cause to be displayed at the construction site, a copy of the approved plan during the entire period of construction and the authorities concerned shall inspect the premises periodically and maintain a record of such inspection in their official records.

(iii) Upon conducting personal inspection and being satisfied that the building is constructed in accordance with the building planning permission given and there is no deviation in such construction in any manner, the completion/occupation certificate in respect of residential / commercial building, be issued by the authority concerned to the parties concerned, without causing undue delay. If any deviation is noticed, action must be taken in accordance with the Act and the process of issuance of completion/occupation certificate should be deferred, unless and until the deviations pointed out are completely rectified.

(iv) All the necessary service connections, such as, Electricity, water supply, sewerage connection, etc., shall be given by the service provider /Board to the buildings only after the production of the completion/occupation certificate.

(v) Even after issuance of completion certificate, deviation / violation if any contrary to the planning permission brought to the notice of the authority immediate steps be taken by the said authority concerned, in accordance with law, against the builder / owner / occupant; and the

official, who is responsible for issuance of wrongful completion /occupation certificate shall be proceeded departmentally forthwith.

(vi) No permission /licence to conduct any business/trade must be given by any authorities including local bodies of States/Union Territories in any unauthorized building irrespective of it being residential or commercial building.

(vii) The development must be in conformity with the zonal plan and usage. Any modification to such zonal plan and usage must be taken by strictly following the rules in place and in consideration of the larger public interest and the impact on the environment.

(viii) Whenever any request is made by the respective authority under the planning department/local body for co-operation from another department to take action against any unauthorized construction, the latter shall render immediate assistance and co-operation and any delay or dereliction would be viewed seriously. The States/UT must also take disciplinary action against the erring officials once it is brought to their knowledge.

(ix) In the event of any application / appeal / revision being filed by the owner or builder against the non-issuance of completion certificate or for regularisation of unauthorised construction or rectification of deviation etc., the same shall be disposed of by the authority concerned, including the pending appeals / revisions, as expeditiously as possible, in any event not later than 90 days as statutorily provided.

(x) If the authorities strictly adhere to the earlier directions issued by this court and those being passed today, they would have deterrent effect and the quantum of litigation before the Tribunal / Courts relating to house / building constructions would come down drastically. Hence, necessary instructions should be issued by all the State/UT Governments in the form of Circular to all concerned with a warning that all directions must be scrupulously followed and failure to do so will be viewed seriously, with departmental action being initiated against the erring officials as per law.

(xi) Banks / financial institutions shall sanction loan against any building as a security only after verifying the completion/occupation certificate issued to a building on production of the same by the parties concerned.

(xii) The violation of any of the directions would lead to initiation of contempt proceedings in addition to the prosecution under the respective laws.

22. As far as the present case is concerned, we pass the following orders:

(i)The order of the High Court shall stand confirmed.

(ii)The appellants are directed to vacate and handover the vacant premises to the respondent authorities within a period of three months from the date of receipt of a copy of this judgment.

(iii)On such surrender, the respondent authorities shall take steps to demolish the unauthorised construction made on the subject property, within a period of two weeks therefrom.

(iv)All the authorities shall provide necessary assistance to the Respondent No.1 to execute the order of the High Court in its letter and spirit.

(v)Appropriate criminal as well as departmental action shall be taken against the erring officials / persons concerned in line with the order of the High Court and a report shall be filed before this Court.

(vi)The amount deposited by the appellants in SLP (C)No. 36440 of 2014 be refunded to them, along with accrued interest."

3. The directions issued have been made applicable to PAN India.

4. It appears, as pointed out by the learned Attorney General

that the directions have been duly complied with in part. However, many unauthorised structures still remain to be demolished. No action could taken as few representation have been received for the purpose of regularisation, etc. In such circumstances, those unauthorised structures have not been touched till this date.

5. If that be so, then the authority concerned *prima facie* is in contempt.

6. We have made ourselves very clear that each and every unauthorised construction has to be demolished.

7. We want the Uttar Pradesh Awas Evam Vikas Parishad and others to place on record a detailed and composite report about the action they have taken so far in pursuance of the directions issued by this Court, referred to above.

8. One copy of the said report shall be served well in advance to the learned counsel appearing for the contempt petitioner(s).

9. Put it after six weeks.

Item No.54.2 Diary No.45309/2025

1. The learned senior counsel/counsel appearing for the petitioner has instructions from his client not to press this miscellaneous application.

2. In view of the aforesaid, the Miscellaneous Application is dismissed as not pressed.

Item No.54.3 CONMT.PET.(C) No. 851/2025 in C.A. No. 14604/2024

1. Having heard the learned counsel appearing for the petitioner and having gone through the materials on record, we are not inclined to entertain individual applications complaining about unauthorised constructions and due compliance of our directions issued in the judgment dated 17.12.2024.

2. Let the State of Haryana file a report as regards due compliance of our directions within a period of four weeks.

Item No.54.4. Diary No.69714/2025

1. We are not inclined to entertain individual applications complaining about unauthorised constructions and due-compliance of our directions issued in the judgment dated 17.12.2024.

2. Let the State of Odisha file a report as regards due compliance of our directions within a period of four weeks.

Item No.54.5 Diary No.71735/2025

1. Issue notice, returnable in six weeks.

2. Dasti service, in addition, is permitted.

3. The personal presence of the alleged respondent(s)-
contemnor(s) is dispensed with for the present.

Item No.54.6 Diary No.70173/2025

1. The learned counsel appearing for the petitioner has
instructions from his client not to press this petition.

2. The petition is accordingly dismissed as not pressed n
terms of the signed order, which is placed on the file.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed order in Item No. 54.6 Diary No.70173/2025 is
placed on the file)

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION
CONTEMPT PETITION (C) NO... OF 2026
(@ Diary No.70173/2025)

IN
CIVIL APPEAL NO.14604 OF 2024

SANDEEP PAHAL ..Petitioner(s)

Versus

HRISHIKESH BHASKAR YASHOD
AND ORS. ...Alleged Contemnor
/Respondent(s)

O R D E R

1. The learned counsel appearing for the petitioner has instructions from his client not to press this petition.
2. The petition is accordingly dismissed as not pressed.

.....J.
[J.B.PARDIWALA]

.....J.
[SANDEEP MEHTA]

New Delhi
27th January, 2026