

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

Miscellaneous Application No.2186/2022

IN

Civil Appeal No.10294/2013

NARINDER SINGH & ORS.

Appellant(s)

VERSUS

DIVESH BHUTANI & ORS.

Respondent(s)

O R D E R

At the request of the State of Haryana as submitted by the learned counsel in Court, four months extended time is granted to submit their report post compliance.

Miscellaneous application stands disposed of.

.....J.  
(SANJAY KISHAN KAUL)

.....J.  
(ABHAY S. OKA)

NEW DELHI  
06<sup>th</sup> January, 2023

ITEM NO.16+24

COURT NO.2

SECTION PIL-W

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

Writ Petition(s) (Civil) No(s).4677/1985

M. C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) ILLEGAL OCCUPATION OF LANDS/PREMISESAND2) HARYANA MINING ISSUE  
IA NOS. 2374-2375/2009, 2568/2012, 2593/2013  
(APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF M/S EROS CITY  
DEVELOPERS PVT. LTD.)

IA NOS. 192880 AND 192882/2019

(APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O NIPUN KAIN)

IA NOS. 138685 AND 133141/2022

(APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAJEEV SEHGAL AND  
ORS.)

IA NOS. 144778 AND 151066/2022

( APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O KAVON TRADING  
COMPANY LLP) IN W.P. (C) NO. 4677/1985 "ONLY" ARE LISTED

NAMES OF FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN  
THE LIST :

MR. S GURU KRISHNA KUMAR, SR. ADVOCATE (A.C.)

MS. ANITHA SHENOY, SR. ADVOCATE (A.C.)

MR. A.D.N. RAO, SR. ADVOCATE (A.C.)

PETITIONER-IN-PERSON

MR. G.S. MAKKER, MR. AMRISH KUMAR, MR. PRAVEEN SWARUP, MR. D.N.

GOBURDHUN, MS. MONIKA GUSAIN, MR. SAMAR VIJAY SINGH, MS. POOJA

DHAR, MR. NAVEEN R. NATH, MS. B. VIJAYALAKSHMI MENON, MR. EKANSH

MISHRA, MR. NISHIT AGRAWAL, MR. CHIRAG M. SHROFF, ADVOCATES )

WITH

Item No.24

Miscellaneous Application No.2186/2022 in C.A. No. 10294/2013

(FOR ADMISSION and IA No.194048/2022-EXTENSION OF TIME

IA No. 194048/2022 - EXTENSION OF TIME)

Date : 06-01-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE ABHAY S. OKA

MR. S GURU KRISHNA KUMAR, SR. ADVOCATE (A.C.)  
MS. ANITHA SHENOY, SR. ADVOCATE (A.C.)  
MR. A.D.N. RAO, SR. ADVOCATE (A.C.)

For Parties

Petitioner-in-person

Mr. Tejaswi Kumar Pradhan, AOR  
Mr. Manoranjan Paikaray, Adv.  
Mr. Aniruddha Purushotham, Adv.  
Mr. Shashwat Panda, Adv.

Mr. B. K. Satija, A.A.G.  
Mr. Samar Vijay Singh, AOR  
Ms. Astha Metha, Adv.  
Ms. Noopur Singhal, Adv.  
Ms. Amrita Verma, Adv.  
Mr. Umesh Kumar Khaitan, AOR

Mr. Rahul Khurana, Adv.  
Mr. Sanjay Kumar Visen, AOR  
Mr. Himanshu Satija, Adv.  
Ms. Ritu Rastogi, Adv.  
Ms. Himani Bhatnagar, Adv.  
Mr. Aman, Adv.

Dr. Monika Gusain, AOR

Mr. Ekansh Mishra, AOR  
Mr. Sanath Garg, Adv.

Mr. Rohan Thawani, Adv.  
Ms. Pooja Dhar, AOR

Mr. Naveen R. Nath, AOR

Mr. Amrish Kumar, AOR  
Mr. Tushar Mehta, Solicitor General  
Mrs. Aishwarya Bhati, A.S.G.  
Mrs. Suhasini Sen, Adv.  
Mr. Rajesh Kumar Singh, Adv.  
Mr. Rajat Nair, Adv.  
Mr. S.s. Rebello, Adv.  
Mr. T.s Sabarish, Adv.

Mr. R. Balasubramanian, Sr. Adv.  
Ms. Swarupama Chaturvedi, Adv.  
Ms. Ruchi Kohli, Adv.  
Mr. G.S. Makker, AOR

Mr. Sanjiv Sen, Sr. Adv.  
Mr. Praveen Swarup, AOR  
Ms. Payal Swarup, Adv.  
Mr. Devesh Maurya, Adv.  
Mr. Hari Sahteshwar, Adv.  
Mr. Vivek Verma, Adv.

Mr. Ajay Bansal, Adv.  
Mr. Gaurav Yadava, Adv.  
Ms. Veena Bansal, Adv.  
Mr. Sourav Jindal, Adv.

Mr. D. N. Goburdhun, AOR

Mr. Dushyant Dave, Sr. Adv.  
Ms. Malini Sud, Adv.  
Ms. Vidhi Goel, Adv.  
Mr. Krishna Dev Yadav, Adv.  
Ms. B. Vijayalakshmi Menon, AOR

Mrs. Garima Prashad, Sr. Adv.  
Mr. Nishit Agrawal, AOR  
Ms. Kanishka Mittal, Adv.

Mr. Chirag M. Shroff, AOR  
Mr. Shailendra M. Shroff, Adv.  
Mr. Shailendra P. Singh, Adv.  
Mr. Sushant Mehra, Adv.

Mr. Kedar Nath Tripathy, AOR

Mr. Sibbo Sankar Mishra, AOR  
Mr. Niranjana Saho, Adv.  
Apoorva Sharma, Adv.

Ms. Manjeet Kirpal, AOR  
Mr. Miten Mahapatra, Adv.

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

I.A. Nos.2374-75/2009, I.A. No.2568/2012, I.A. No.2593/2013

The application for impleadment is allowed only for the

purpose of direction sought.

Learned Amicus Curiae points out that in the conspectus of the Orders of this Court in C.A. No.10294/2013 & connected matters titled "Narinder Singh & Ors. Vs. Divesh Bhutani & Ors." dated 21<sup>st</sup> July, 2022, a report has been submitted by the Deputy Conservator of Forests, Faridabad dated 20.12.2022.

The report reads as under :-

"On the above aforementioned subject and reference, it is informed that as per the report of Tehsildar Faridabad letter No.406-07 dated 20.12.2022 and document are attached therewith, the Rect. No.41 Killa No.15/2, 16,25, Rect. No.43 Killa No.4,5,7/1, 7/2, 14, 17, 18, 23 Rect. No.52 Killa No.16, 24, 25, Rect. No.53 Killa No.2, 3, 9, 11, 12, 20 Rect. No.54 Killa No.3, 4, 8, 12, 13, 19, 21, 22 Rect. No.59 Killa No.17, 24, 25 Rect. No.60 Killa No.5, 6, 14, 15, 16, 17, 18, 21, 22, 23, 24 Rect. No.61 Killa No.1 Rect. No.62 Killa No.1, 2, 3, 9, 10 Rect. No.63 Killa No.4, 5, 6 falls in Village Lakkarpur. Above mentioned numbers of Village Lakkarpur are not in special section 4 and/ or 5 of Punjab land Preservation Act, 1900, notification. It is for your kind information and necessary action please."

The effect of the aforesaid report is that these Khasra numbers fall in village Lakkarpur and are thus not covered by the notification. Thus the impediment against development of these lands no more remains in force.

Applications stand disposed of accordingly.

I.A. No.138685/2022, I.A. No.133141/2022, I.A. No.192880, I.A.No. 192882/2019

The applications for impleadment are allowed only for the purpose of direction sought.

The impediment in respect of the plot owners who are the applicants does not survive in view of the aforesaid orders passed by us and in view thereof the developer says that the same plots will be made available to the allottees.

Applications stand disposed of.

I.A. Nos.144778/2022 & 151066/2022

The application for impleadment is allowed only for the purpose of direction sought.

The applicants submit that they are identically situated to the applicants in the aforesaid two applications and thus there applications may also be disposed of accordingly. Needless to say that the commitment of the developers is subject to compliance with the terms and conditions to the agreement inter se the parties.

With the aforesaid clarifications applications accordingly stand disposed of.

In RE: SEALING/DESEALING ISSUE

Learned Amicus Curiae states that he is yet to examine the reasons why the Committee has sent back those applications forming part of Annexure - A.

List after four weeks.

Access be given to the learned Amicus Curiae even to second report stated to have been received in the month of January, 2023 (sixteen applications stated to have been disposed of).

Insofar as the first report indicating the remuneration required to be paid to the persons assisting the commission, we accept the recommendation.

**Miscellaneous Application No.2186/2022 in C.A. No. 10294/2013**

Miscellaneous application stands disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of.

(RASHMI DHYANI PANT)  
COURT MASTER

(POONAM VAID)  
COURT MASTER

(signed order is placed on the file)