

ITEM NO.18

COURT NO.5

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) IA NO. 2768/2016 (APPLN. FOR DIRECTIONS FILED BY A.C.)

2) IA NOS. 98587 AND 98588/2020 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF RESIDENT WELFARE ASSOCIATION, RANGPURI EXTENSION)

(3) 128127 AND 134352/2020 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O SANJAY CHHABRA)APPLICATION TO BE HEARD BY THE MONITORING COMMITTEE CONSTITUTED VIDE ORDER4 DT. 07.05.2004(

1) IA NO. 115278/2020 (APPLN. FOR DIRECTIONS ON BEHALF OF SURESH PAPER PVT. LTD.)

(2) IA NOS. 60398 AND 60399/2019 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O MOHAN LAL)

(3) IA NOS. 125628 AND 125635/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O AJAY GUPTA)(

4) IA NOS. 125699 AND 125701/2019 (APPLNS. FOR INTERVENTION AND STAY ON B/O HARKRISHAN AND ORS.)

(5) IA NOS. 158567 AND 158572/2019 (APPLNS. FOR INTERVENTION AND STAY ON B/O PARMANAND KUMAR AND ORS.)

(6) IA NOS. 132390 AND 132395/2020 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF MOHD. SAYEED QURESHI)

(7) IA NOS. 35420 AND 35421/2019 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O JAWAHAR NANDRAJOG)I.AS. SEEKING DE-SEALING ON GROUNDS OF COMPLIANCE BEING DONE (PAYMENT FOR REGULARIZATION/STOPPAGE OF VIOLATING ACTIVITY)

(1) IA NO. 177420/2018 (APPLN. FOR DIRECTIONS ON B/O SOUTH DELHI MUNICIPAL CORPORATION)

(2) IA NO. 68405/2018 (APPLN. FOR DIRECTIONS ON B/O SOUTH DELHI MUNICIPAL CORPORATION)

(3) I.A. NO. 77164/2019 (APPLN. FOR DIRECTIONS ON B/O FIVE SPICE MERRIMENT PVT. LTD. AND ANR.)

(4) IA NOS. 188523 AND 188525/2019 (APPLNS. FOR DIRECTIONS AND PERMISSION TO FILE APPLN. FOR DIRECTIONS ON BEHALF OF VARUN KANT AGGARWAL)

(5) IA NO. 158060/2018 (APPLNS. FOR DIRECTIONS ON B/O BIRD TRAVELS

(P) LTD. AND ANR.)

(6) IA NO. 144910 OF 2019 (APPLN. FOR DIRECTIONS ON B/O GNCT OF DELHI IN IA NO. 158060/2018)

(7) I.A. NOS. 130216 AND 130219/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O RUBY BEDI)

(8) I.A. NOS. 15920, 15934, 15921 AND 15926/2022 (APPLNS. FOR IMPLEADMENT, DIRECTIONS, EXEMPTION FROM FILING CERTIFIED COPIES AND STAY ON BEHALF OF SURENDER SINGH)APPLICATIONS ON BEHALF OF THE MARBLE VENDORS PRAYING FOR DE-SEALING OF THEIR SHOPS/PROPERTIESIA NOS. 9387/2018, 9402/2018, 9410/2018, 9423/2018, 9427/2018, 9432/2018, 9435/2018, 9441/2018, 9447/2018, 9458/2018, 9462/2018, 9470/2018, 9480/2018, 9490/2018, 9499/2018, 9509/2018, 9514/2018, 9529/2018, 9534/2018, 9538/2018, 9542/2018, 9546/2018, 9553/2018, 9561/2018, 9563/2018, 9567/2018, 9574/2018, 9586/2018, 9591/2018, 9645/2018, 9664/2018, 9675/2018, 9687/2018, 9695/2018, 9697/2018, 9705/2018, 9712/2018, 9718/2018, 9723/2018, 9771/2018, 9773/2018, 9844/2018, 9852/2018, 9856/2018, 9860/2018, 9863/2018, 9869/2018 AND 79671/2020 (APPLNS. SEEKING ISSUANCE OF DIRECTIONS TO SDMC/MONITORING COMMITTEE TO DE-SEAL PREMISES AND COMMON APPLICATION FOR DIRECTIONS ON BEHALF OF M/S AMIT MARBLES PVT. LTD. ETC.)IA NOS. 196366, 196369/2019 AND 80021/2020 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF GYANENDER SHARMA)IA NOS. 62052 AND 62063/2021 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF SEQUENCE APARTMENTS PVT. LTD.)IA NOS. 62056 AND 62064/2021 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF FRIENDS CONNECTIONS PVT. LTD.)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-PERSONMR. G.S. MAKKER,MR. AMRISH KUMAR,MR. PRAVEEN SWARUP, MR. NISHIT AGRAWAL,MR. CHIRAG M. SHROFF,MR. SURYA KANT, MR. DEVANSHU KUMAR DEVESH, MS. ROOH-E-HINA DUA, MS. PRERNA MEHTA,MS. UDITA SINGH,MR. SHISHIR PINAKI,MR. FIRDOUSE QUTB WANIMS. DEEPLAXMI S. MATWANKARMR. RAJIV MANGLA,MS. RAJNI OHRI LAL,MR. RAJESH KUMAR CHAURASIA, ADVOCATESMR. ABINASH KR. MISHRA,MS. SMITA MAANMR. SHARDUL S. SHROFFM/S M.V. KINI AND ASST.MS. PRATIBHA JAIN, ADVOCATESMR. VIVEK NARAYAN SHARMA, ADVOCATESMR. HARDEEP SINGH ANANDMS. VANITA BHARGAVA,ADVOCATES)

Date : 26-07-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

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Mr. Manjeet Singh Gill, Adv.

Mr. Hitesh Kumar Sharma, Adv.

Mr. S.K. Rajora, Adv.

Mr. Akhileshwar Jha, Adv.

Dr. Vivek Sharma, Adv.

For Mr. Kuldip Singh,

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

On hearing learned counsel for the parties we will have to issue certain directions depending on the nature of violations and the grievances made in that behalf by the private parties. To begin with, we direct as under :

1) Applicants who claim that they have complied with norms now and their applications are to be considered by the Bhurelal Committee; their cases will be examined by the Committee and the Amicus Curiae will inform us on the next date whether the compliance has taken place. If the compliance has taken place, the formal orders will be passed for

de-sealing.

2) For such of the applicants who claim compliance now and the Committee of officers has to examine them, we direct the Committee to so examine them and the applicants will place a copy of their applications filed before that Committee. Learned ASG who is present in Court is requested to inform the Committee and/or to make necessary arrangements of representation before us on the next date.

List of these applications under the two categories will be shared by the learned Amicus Curiae with the Registry and they shall be placed before the Court for necessary orders.

List on 23.08.2022 at 2.00 p.m.

1) IA NO. 2768/2016 (APPLN. FOR DIRECTIONS FILED BY A.C.)

2) IA NOS. 98587 AND 98588/2020 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF RESIDENT WELFARE ASSOCIATION, RANGPURI EXTENSION)

Learned Amicus Curiae states that they will prepare and assist us in these applications on the next date.

Liberty to file additional documents in IA NOS. 98587 AND 98588/2020 within a week.

List on 23.08.2022 at 2.00 p.m.

I.A. NO. 77164/2019 (APPLN. FOR DIRECTIONS ON B/O FIVE SPICE MERRIMENT PVT. LTD. AND ANR.)

Learned counsel for the applicant(s) seeks to withdraw this application.

The application is dismissed as withdrawn.

IA NO. 115278/2020 (APPLN. FOR DIRECTIONS ON BEHALF OF SURESH PAPER PVT. LTD.)

If what the applicant says is correct, that compliance has taken place and the security is still lying deposited with the Monitoring Committee of the officials, which is liable to be refunded to the applicant, the case be examined and the refund be made within a period of four weeks of communication of this order.

The application stands disposed of.

IA NOS. 62052 AND 62063/2021 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF SEQUENCE APARTMENTS PVT. LTD.) IA NOS. 62056 AND 62064/2021 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON BEHALF OF FRIENDS CONNECTIONS PVT. LTD.)

It is the say of the learned counsel for the applicants that what they were carrying on was industrial activity in industrial area and they do not know why proceedings took place. It appears that jurisdiction in this aspect is of the Monitoring Committee of the officials. The applicants may approach that Committee which will examine their case expeditiously and pass necessary orders.

The applications are disposed of accordingly.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)