

ITEM NO.301

COURT NO.4

SECTION PIL-W

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

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

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: SEALING ISSUE(1) IA NO. 60518/2019 (APPLNS. FOR DIRECTIONS ON B/O VINOD SAHNI AND ANR.)(2) IA NOS. 61593 AND 61594/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O KKH EXIM PVT. LTD. AND ANR.)IN RE: KANT ENCLAVE (1) IA NO. 63050/2019 (APPLN.SEEKING PERMISSION TO MAKE DEPOSIT OF AMOUNTS IN THREE INSTALMENTS ON B/O M/S R. KANT AND CO.)(2) IA NO. 62958/2019 (APPLN. FOR EXTENSION OF TIME ON B/O SH. VISHWA NATH AGRAWAL AND ANR.)IN W.P. (C) NO. 4677/1985)

Date : 26-04-2019 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE DEEPAK GUPTA

Counsel for the
parties

Petitioner-in-person

MR. RANJIT KUMAR, SR. ADVOCATE (A.C.)
MS. ANITHA SHENOY, SR. ADVOCATE (A.C.)
Mr. A.D.N. RAO, ADVOCATE (A.C.)
Mr. Rishi Raj Sharma, Adv.
Ms. Srishti Agnihotri, Adv.
Mr. Sudipto Sircar, Adv.

Mr. A. N. S. Nadkarni, ASG
Mr. A. K. Kaul, Adv.
Mr. D. L. Chidananda, Adv.
Ms. Suhasini Sen, Adv.
Ms. Shraddha Deshmukh, Adv.
Mr. Salvador Santosh Rebello, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Rajesh K. Singh, Adv.
Mr. Zoheb Hussain, Adv.
Mr. R. K. Singh, Adv.
Mr. Bhavanishankar V. Gadnis, Adv.
MR. GURMEET SINGH MAKKER, ADVOCATE
Mrs. Anil Katiyar, Adv.
Mr. Raj Bahadur Yadav, Adv.

Mr. Krishnan Venugopal, Sr. Adv.
Mr. Dinesh C. Pandey, Adv.
Mr. Jaladhar Das, Adv.

Mr. C. S. Vaidyanathan, Sr. Adv.
Mr. Vivek Kohli, Adv.
Mr. Nalin Talwar, Adv.
Mr. Lokesh Bhole, Adv.
Mr. Archit Upadhyay, Adv.
Mr. Karan Grover, Adv.

Mr. Shyam Divan, Sr Adv.
Mr. Tejaswi Kumar Pradhan, Adv.

Mr. Sanjiv Sen, Sr. Adv.
Mr. Praveen Swarup, Adv.
Mr. Sayan Ray, Adv.
Mr. Soumo Palit, Adv.

Mr. Alok Gupta, Adv.

Mr. Ranjan Mukherjee, Adv.
Mr. K. V. Kherlyngdoh, Adv.
Mr. Daniel Stone Lyngdoh, Adv.
Mr. Upendra Mishra, Adv.

Mr. Anil Grover, AAG
Mr. Satish Kumar, Adv.
Mr. Sanjay Kumar Visen, Adv.

Mr. Reepak Kansal, Adv.
Ms. Suman Shekhar Jha, Adv.
Mr. Pravir Chowdhury, Adv.

Mr. Vijay Panjwani, Adv.

MR. B.V. BALRAM DAS, ADVOCATE

MR. PRAVEEN SWARUP, ADVOCATE

MS. GARIMA PRASHAD, ADV.
Mr. G. S. Oberoi, Adv.
Mr. Mohit Kumar Bansal, Adv.

MS. ANIL KATIYAR, ADV.

MR. D.N. GOBURDHUN, ADVOCATE
Ms. Gauri Goburdhun, Adv.
Ms. Pallavi Ghopra, Adv.

MR. ARCHIT UPADHYAY, ADVOCATE

Mr. Abhimanyu Bhandari, Adv.

Ms. Roohina Dua, Adv.

Mr. Cheitanya Madan, Adv.

MR. NAVEEN KUMAR, ADVOCATE

Mr. Yoginder Handoo, Adv.

Mr. Prashant Bhatnagar, Adv.

MR. DINESH C. PANDEY, ADVOCATE

MR. SANJAY KUMAR VISEN, ADVOCATE

MR. ANAND MISHRA, ADVOCATE

MR. SHIVAJI M. JADHAV, ADVOCATE

MR. T.V. GEORGE, ADVOCATE

MS. SHARMILA UPADHYAY, ADVOCATE

MR. SANTOSH MISHRA, ADVOCATE

MR. TEJASWI KUMAR PRADHAN, ADVOCATE

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

I.A.No. 60518 of 2019

List the application on 03.05.2019.

Interim order passed by this Court shall continue till that date.

I.A.Nos. 61593 of 2019 and 61594 of 2019

List on 29.04.2019.

Mr. Ranjit Kumar, learned senior counsel, has handed over an order passed by the Committee, which is taken on record.

IN RE : KANT ENCLAVE MATTERS**I.A.Nos. 63050 of 2019 and 62958 of 2019**

Today, two Demand Drafts have been tendered with the following particulars :-

(1) Demand Draft No. 027630 dated 24.04.2019 for an amount of Rs.50,32,541/- (Rupees Fifty Lakhs Thirty Two Thousand Five Hundred and Forty One) drawn in favour of Registrar, Supreme Court of India.

(2) Demand Draft No. 570212 dated 24.04.2019 for an amount of Rs.16,77,514/- (Rupees Sixteen Lakhs Seventy Seven Thousand Five Hundred and Fourteen) drawn in favour of Registrar, Supreme Court of India.

The same shall be deposited in the Registry of this Court today itself.

However, the liability is denied by Sharma Group. It is stated that in fact, this is the liability of Aggarwal Group as per the MOU entered into between the Sharma Group and the Aggarwal Group.

Reserving the rights to settle the entire controversy, the amount has been deposited without prejudice to contest the matter as liability and to recover the amount from Aggarwal Group in appropriate proceedings in accordance with law. We make it clear that the deposit of the aforesaid amount shall not come in the way of the Sharma Group from instituting appropriate proceedings before appropriate forum in accordance with law for recovery of the said amount.

The Chief Secretary has found the valuation at Rs.16,40,96,000/-. An amount of Rs. 8,20,48,000/- (Rupees Eight Crores Twenty Lakhs Forty Eight Thousand) i.e. 50% portion to be deposited by M/s R. Kant & Co., has now been deposited.

For the time being, the valuation made by the Chief Secretary holds good, unless otherwise ordered. Let the amount deposited be transmitted to the Director, Town & Country Planning, Haryana, for disbursement in accordance with the order passed by this Court.

List in the month of July, 2019.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER