

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)

(IN RE: SEALING ISSUE(1) IN RE : POLICY REGARDING MANAGEMENT OF
MOTELS/FARM HOUSES

(2) REPORT NO. 134 SUBMITTED BY MONITORING COMMITTEE

(3) I.A. No. 32329/19 (APPLN. FOR WITHDRAWAL OF I.A. NO.

169815/2018 ON B/O FIVE SPICE MERRIMENT PVT. LTD. AND ANR.)

(4) IA NO. 35526/19 (APPLN. FOR WITHDRAWAL OF I.A. NO. 169794/2018
ON B/O LAVANYA CEREMONIAL PVT. LTD. AND ORS.)(5) IA NO. 32339/19 (APPLN. FOR WITHDRAWAL OF I.A. NO. 169784/2018
ON B/O AAA HOSPITALITY)(6) IA NO. 32340/19 (APPLN. FOR WITHDRAWAL OF I.A. NO. 169804/2018
ON B/O S.R. MOTEL AND RESORT)(7) IA NO. 38392/2019 (APPLN. FOR WITHDRAWAL OF I.A. NO.
169756/2018 ON B/O BALAJI MOTELS PVT. LTD.)(8) IA NOS. 155012 AND 161448/2018 (APPLNS. FOR INTERVENTION AND
EXEMPTION FROM FILING O.T. ON B/O WESTEND GREEN FARMS SOCIETY)(9) IA NOS. 174752 AND 174753/2018 (APPLNS. FOR DIRECTIONS AND
EXEMPTION FROM FILING O.T. ON B/O SEVEN STAR HOTEL AND RESORTS PVT.
LTD.)(10) IA NO. 167402/2018 (APPLN. FOR DIRECTIONS ON B/O KOHLI TENTS
PVT. LTD.)(11) IA NO. 158060/2018 (APPLN. FOR DIRECTIONS ON B/O BIRD TRAVELS
(P) LTD. AND ANR. ALONGWITH REPORT NOS. 137 AND 138 SUBMITTED BY
MONITORING COMMITTEE)IN W.P. (C) NO. 4677/1985

Date : 29-03-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE DEEPAK GUPTA

Counsel for parties

Mr. Ranjit Kumar, Sr. Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.) (N.P.)

Ms. Anitha Shenoy, Advocate (A.C.) (N.P.)

Ms. Srishti Agnihotri, Adv.

Mr. Rishi Raj Sharma, Adv.

Mr. Sudipto Sircar, Adv.

Ms. Saumya Singh, Adv.

Mr. A.N.S. Nadkarni, ASG
Mr. Rajesh Singh, Adv.
Ms. Suhasini Sen, Adv.
Mr. D.L. Chidananda, Adv.
Mr. Raj Bahadur, Adv.
Ms. Anil Katiyar, Advocate
Mr. Salvador Santosh Rebello, Adv.
Mr. Zoheb Hussain, Adv.
Mr. G.S. Makker, Adv.

Mr. Sanjiv Sen, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. Praveen Swarup, Advocate
Mr. Zail Ali Subzposh, Adv.
Mr. Saeed Qadri, Adv.
Mr. Saya Ray, Adv.
Mr. Soumo Palit, Adv.

Mr. Niraj Kishan Kaul, Sr. Adv.
Mr. O.P. Bhandani, Adv.
Mr. Johnson Subba, Adv.

Petitioner-In-Person

Mr. B.V. Balram Das, Advocate

Ms. Garima Prashad, Advocate
Mr. G.S. Oberoi, Adv.

Mr. D.N. Goburdhun, Advocate
Ms. Gauri Goburdhun, Adv.
Ms. Pallavi Chopra, Adv.

Mr. Bhavanishankar V. Gadnis, Adv.
Mr. Arvind Kumar Sharma, Advocate

Mr. Chirag M. Shroff, Advocate
Ms. Neha Sangwan, Adv.

Mr. Alok Gupta, Advocate

Ms. Misha Rohatgi Mohta, Advocate
Mr. Nakul Mohta, Adv.
Mr. Johnson Subba, Adv.
Mr. Gaurav Jain, Adv.
Mr. Atul Malhotra, Adv.

Mr. Abhinav Agrawal, Advocate

Mr. Abhishek Bhardwaj, Adv.
Mr. Sumit Gehlawat, Adv.
Mr. Ashok Anand, Advocate

Mr. Prakash Ranjan Nayak, Advocate

Mr. Amir Singh Pasrich, Adv.

Mr. Kalyan Arambam, Adv.

Mr. Anuj Berry, Adv.

Mr. Abhik Chakraborty, Adv.

Mr. R.K. Mehta, Adv.

Mr. Virender Mehta, Adv.

Ms. Meera Mathur, Advocate

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

IN RE: SEALING ISSUE

(1) IN RE : POLICY REGARDING MANAGEMENT OF MOTELS/FARM HOUSES AND

(2) REPORT NO. 134 SUBMITTED BY MONITORING COMMITTEE

On behalf of the NCT of Delhi a draft policy for holding social functions in Hotels/Motels and Low Density Residential Area in National Capital Territory of Delhi has been placed on record along with the affidavit of Mr. Raajiv Yaduvanshi, Principal Secretary, Urban Development, Govt. of NCT of Delhi, Secretariat, New Delhi.

Learned counsel appearing for the NCT of Delhi prays for some time to finalize the policy.

Let it be finalized positively within a period of four weeks from today and be placed before us.

List on 10.05.2019.

(3) I.A. No. 32329/19 (APPLN. FOR WITHDRAWAL OF I.A. NO.

169815/2018 ON B/O FIVE SPICE MERRIMENT PVT. LTD. AND ANR.)

(4) IA NO. 35526/19 (APPLN. FOR WITHDRAWAL OF I.A. NO. 169794/2018 ON B/O LAVANYA CEREMONIAL PVT. LTD. AND ORS.)

(5) IA NO. 32339/19 (APPLN. FOR WITHDRAWAL OF I.A. NO. 169784/2018 ON B/O AAA HOSPITALITY)

(6) IA NO. 32340/19 (APPLN. FOR WITHDRAWAL OF I.A. NO. 169804/2018 ON B/O S.R. MOTEL AND RESORT)

(7) IA NO. 38392/2019 (APPLN. FOR WITHDRAWAL OF I.A. NO.

169756/2018 ON B/O BALAJI MOTELS PVT. LTD.)

We are not satisfied about the prayers made in the main applications against sealing. As the prayer has been made and requisite applications have also been filed for withdrawal of the applications. The applications for withdrawal are allowed.

Consequently, I.A. Nos. 169815/2018, 169794/2018, 169784/2018, 169804/2018 & 169756/2018 are dismissed as withdrawn.

(8) IA NOS. 155012 AND 161448/2018 (APPLNS. FOR INTERVENTION AND EXEMPTION FROM FILING O.T. ON B/O WESTEND GREEN FARMS SOCIETY)

Learned counsel appearing for the applicant(s) seeks permission to withdraw these applications.

The applications are, accordingly, dismissed as withdrawn.

(9) IA NOS. 174752 AND 174753/2018 (APPLNS. FOR DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O SEVEN STAR HOTEL AND RESORTS PVT. LTD.)

These applications are rejected.

Let action be taken in accordance with law.

(10) IA NO. 167402/2018 (APPLN. FOR DIRECTIONS ON B/O KOHLI TENTS PVT. LTD.)

Since the show-cause notice has been issued. It is open to the applicant(s) to respond to the show-cause notice and take appropriate stand before the concerned authorities.

Hence, we are not inclined to entertain this application, the same is dismissed.

Prayer for inspection can also be made before the concerned authorities. We are not inclined to comment on the same.

(11) IA NO. 158060/2018 (APPLN. FOR DIRECTIONS ON B/O BIRD TRAVELS (P) LTD. AND ANR. ALONGWITH REPORT NOS. 137 AND 138 SUBMITTED BY MONITORING COMMITTEE)

Perused the letter seeking adjournment.

List on 01.04.2019.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER