

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) In RE.: SEALING ISSUE

(i) STATUS OF GROUND WATER

(ii) IA NO. 43487/2018

(APPLN. FOR DIRECTIONS ON B/O GOVT. OF NCT OF DELHI) ALONGWITH
REPORT NO. 123 SUBMITTED BY MONTIROING COMMITTE

Date : 28-11-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)

Mr. Ranjit Kumar, Sr. Advocate (A.C.)
Mr. A.D.N. Rao, Advocate (A.C.)
Ms. Anitha Shenoy, Advocate (A.C.)
Ms. Srishti Agnihotri, Adv.
Mr. Sudipto Sircar, Adv.

Petitioner-in-person

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG
Mr. R. Bala, Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. Sachin Sharma, Adv.
Mr. Pranay Ranjan, Adv.
Mr. A.K. Kaul, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mr. D.L. Chidananda, Adv.
Mr. Ritesh Kumar, Adv.
Ms. Suhasini Sen, Adv.
Mr. G.S. Makker, AOR

Mr. Vijay Panjwani, Adv.

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

Mr. B.V. Balram Das, Advocate

Mr. Sanjiv Sen, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. Zaid Ali Subzposh, Adv.
Mr. Praveen Swarup, Advocate
Mr. Syed Zafar Husain, Adv.
Mr. Sayan Ray, Adv.
Mr. Soumo Palit, Adv.
Mr. Ajay Bansal, Adv.
Mr. Gaurav Yadava, Adv.
Ms. Veena Bansal, Adv.

Mr. Yoginder Handoo, AOR
Mr. Nishant Kumar, Adv.
Mr. Prashant Bhatnagar, Adv.

Ms. Garima Prashad, Advocate
Mr. G.S. Oberoi, Adv.
Mr. Mohit Kumar Bansal, Adv.
Ms. Poonam Anand, Adv.

Ms. Anil Katiyar, Advocate

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

Mr. Arvind Kumar Sharma, Advocate

Mr. Alok Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

On the request of learned counsel for the NCT of Delhi, list the matter on 29.01.2019.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR

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

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UNION OF INDIA & ORS.

Respondent(s)

(2) IN RE: KANT ENCLAVE MATTERS (DISPOSED OF)

i) I.A. NOS. 2310/2008

(FOR INTERVENTION AND DIRECTIONS/CLARIFICATION OF CT'S ORDER DT. 14.5.2008)

ii) IA NOS. 2378-2379/2009

(FOR STAY AND PERMISSION TO FILE OBJECTIONS TO THE CEC REPORT)

iii) IA NO. 2269

(FOR DIRECTIONS)

iv) IA NO. 2270

(FOR CLARIFICATION OF CT'S ORDER)

v) IA NO. 2393

(FOR DIRECTIONS)

vi) IA NOS. 2381-2384

(APPLNS FOR IMPLEADMENT, DIRECTION, PERMISSION TO FILE OBJECTIONS AND EXEMPTION FROM FILING C/C OF CEC REPORT DT. 15.1.2009 ON B/O ASHA UPADHYAY AND ORS.)

(vii) IA NOS. 2310-2311 IN W.P.(C) NO. 202/1995

(3) IN RE: KANT ENCLAVE

(i) IA NO. 139059/2018

(APPLN. FOR DIRECTIONS ON B/O BRIG. M.B. ANAND AND ORS.)

(ii) IA NO. 158293/2018

(APPLN. FOR DIRECTIONS ON B/O SWARN SINGH AND ORS.)

(iii) IA NOS. 162460 AND 162462/2018

(APPLNS. FOR CLARIFICATION/DIRECTIONS, EXTENSION OF TIME AND STAY ON B/O KANT ENCLAVE RESIDENTS WELFARE SOCIETY)

(iv) IA NO. 169374/2018

(APPLN. FOR DIRECTIONS/APPROPRIATE ORDERS ON B/O SH. VISHWA NATH AGRAWAL AND ANR.)

Date : 28-11-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Ranjit Kumar, Sr. Advocate (A.C.)

Mr. A.D.N. Rao, Adv.
Mr. Sudipto Sircar, Adv.

Petitioner-In-Person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
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Mr. Pranay Ranjan, Adv.
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Mr. Raj Bahadur Yadav, Adv.
Mr. D.L. Chidananda, Adv.
Mr. Ritesh Kumar, Adv.
Ms. Suhasini Sen, Adv.
Mr. G.S. Makker, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. D.C. Pandey, Advocate
Mr. Rajeev Gurung, Adv.

Mr. Anil Grover, AAG
Mr. Depinder Singh Dhesi
Mr. Shivam Kumar, Adv.
Mr. Sanjay Kumar Visen, Advocate
Mr. Satish Kumar, Adv.

Mr. Dushyant Dave, Sr. Adv.
Mr. Jayant Bhushan, Sr. Adv.
Mr. Sachin Midha, Adv.
Mr. Anand Mishra, Advocate
Mr. Amrendra Kumar Singh, Adv.

Mr. Shivaji M. Jadhav, Advocate

Mr. T.V. George, Advocate
Ms. Rachna Gupta, Adv.
Mr. Vikas Chaudhary, Adv.

Mr. Raju Ramachandran, Sr. Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Mr. Anirudh Singh, Adv.

Ms. Sharmila Upadhyay, Advocate

Mr. S.B. Upadhyay, Sr. Adv.

Ms. Anisha Upadhyay, Adv.

Mr. Nishant Kr., Adv.

Mr. Santosh Mishra, Advocate

Ms. Indira Jaising, Sr. Adv.

Mr. Paras Nath Singh, Adv.

Mr. Tejaswi Kumar Pradhan, Advocate

UPON hearing the counsel the Court made the following

O R D E R

Exemption from filing c/c of the CEC Report is granted.

Pursuant to our order dated 12.11.2018, Mr. Dinesh Kumar Aggarwal and Mr. Vishwanath Aggarwal are present in the Court today.

Captain Gobind Kant Sharma and Mr. Arun Gupta are also present in the Court today.

It is pointed out by Mr. Anil Grover, learned counsel for the State of Haryana that 'Aravalli Rehabilitation Fund' does not exist and has been substituted by 'Mines & Mineral Development Restoration & Rehabilitation Fund'.

The demand draft of Rs.3,35,00,000/- (Rupees three crores and thirty five lacs only) deposited on behalf of Captain Gobind Kant Sharma and Mr. Arun Gupta should be collected by the Advocate-on-Record from the Registry of this Court and substituted by one or more demand draft(s) totalling Rs.3,35,00,000/- (Rupees three crores and thirty five lacs only) in the name of Registrar, Supreme Court of India.

Needful be done within ten days.

Ms. Indira Jaising, learned senior counsel appearing for Mr.

Dinesh Kumar Aggarwal and Mr. Vishwanath Aggarwal says that the balance amount of Rs.1,65,00,000/- (Rupees One crore and sixty five lacs only) will be deposited without prejudice to the rights and contentions of both Mr. Dinesh Kumar Aggarwal and Mr. Vishwanath Aggarwal. She says that some procedural formalities are required to be completed.

We grant one month's time i.e. upto 28.12.2018 to deposit the amount in the Registry of this Court in the name of the Registrar, Supreme Court of India.

We make it clear that the time will not be extended.

We accept the submission made by Ms. Indira Jaising, learned senior counsel that the amount will be deposited without prejudice to the rights and contentions that they are not liable to pay this amount and to recover the amount.

Mr. Kapil Sibal, learned senior counsel appearing for Captain Gobind Kant Sharma and Mr. Arun Gupta says that there is no question of recovery.

List the matter on 11.12.2018.

We direct the State of Haryana to pay Rs.50,00,000/- (Rupees fifty lacs only) to each 33 house owners on or before 10.12.2018.

The Chief Secretary is present in the Court today and should be present on the next date of hearing.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR

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Respondent(s)

D.No. 169804/2018

(Applicant: S.R. Motel and Resort (Carnival)

D.No. 169794/2018

(Applicant: M/s Lavanya Ceremonial Pvt. Ltd. & Ors.)

D.No. 169784/2018

(Applicant: M/s AAA Hospitality)

D.No. 169756/2018

(Applicant: M/s Shri Balaji Motels Pvt. Ltd.)

D.No...../2018

(Applicant: Five Spice Meriment Pvt. Ltd. And Anr.)

Date : 28-11-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mentioned by:

Ms. Misha Rohatgi Mohta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

List the matters on 06.12.2018.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR