

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: 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

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.)

Date : 12-11-2018 These applications were called on for hearing today.

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

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

Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Sudipto Sircar, Adv.
Mr. Rishi Raj Sharma, Adv.

Ms. Anitha Shenoy, Advocate (A.C.)
Mr. Rishi Raj Sharma, Adv.
Ms. Srishti Agnihotri, Adv.
Ms. Soumya Singh, Adv.

Petitioner-In-Person

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.L. Chidanand, Adv.
Mr. Ritesh Kumar, Adv.
Ms. Suhasini Sen, Adv.
Mr. R. Bala, Adv.
Mr. Pranay Ranjan, Adv.
Mr. A.K. Kaul, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mrs. Anil Katiyar, Adv.
Mr. Sachin Sharma, Adv.
Mr. B.V. Balram Das, Advocate
Mr. G.S. Makker, AOR

Mr. Mukul Rohatgi, Sr. Adv.
Ms. Misha Rohatgi Mohta, Advocate
Mr. Nikhil Rohatgi, Adv.
Mr. Nakul Mohta, Adv.
Mr. Gaurav Jain, Adv.

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Saket Sikri, Adv.
Ms. Ranjeeta Rohatgi, Advocate.
Mr. Anirudh B., Adv.

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

Mr. Sanjiv Sen, Sr. Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. Zaid Ali Subzposh, Adv.
Mr. Praveen Swarup, Advocate
Mr. Ajay Bansal, Adv.

Mr. Sayan Ray, Adv.
Mr. Gaurav Yadava, Adv.
Ms. Veena Bansal, Adv.
Mr. Soumo Palit, Adv.

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

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

Mr. S.S. Ray, Adv.
Mr. Vaibhav Gulia, Adv.
Ms. Rakhi Ray, Advocate.

Mr. Kapil Sibal, Sr. Adv.
Mr. Gopal Jain, Sr. Adv.
Mr. Amir Singh Pasrich, Adv.
Mr. Kalyan A., Adv.
Mr. R.K. Mehta, Adv.
Mr. Virender Mehta, Adv.
Mr. Anuj Berry, Adv.
Mr. Siddharth Sanewal, Adv.
Ms. Meera Mathur, Advocate
Mr. Dinesh C. Pandey, Adv.

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

Mr. Jasmeet Singh, Adv.
Mr. Saif Ali, Adv.
Mr. Hemant Jain, Adv.

Ms. Rachana Gupta, Adv.
Mr. Jitendra Kumar Tripathi, Adv.

Mr. Anil Grover, AAG
Ms. Noopur Singhal, Adv.
Mr. Sanjay Kumar Visen, Adv.

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

Mr. Vijay Panjwani, Adv.

Mr. Anil Kumar Mishra, Advocate

Mr. Shivaji M. Jadhav, Advocate

Mr. T.V. George, Advocate

Mr. Raju Ramachandran, Sr. Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Ms. Sharmila Upadhyay, Advocate

Mr. Santosh Mishra, Advocate
Mr. Binod Behera, Adv.
Ms. Swati Smita Pati, Adv.
Ms. Anisha Upadhyay, Adv.
Mr. Akash Tyagi, Adv.

Mr. Reepak Kansal, Adv.
Mr. Pravir Chowdhury, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Mr. Dinesh Kumar Aggarwal, 24, Block 1, First Floor, Charmswood Village, Faridabad, Haryana and Mr. Vishwanath Aggarwal, 3/1, Ground Floor, Nehru Enclave, Kalkaji Extension, New Delhi - 110 019 should be present on the next date of hearing.

Captain Gobind Kant Sharma and Mr. Arun Gupta should be present in the Court on the next date of hearing.

Mr. Kapil Sibal, learned senior counsel appearing on behalf of Captain Gobind Kant Sharma and Mr. Arun Gupta has handed over three demand drafts amounting to Rs. Three crores and thirty five lacs only towards their share of the amount due.

The Chief Secretary, State of Haryana should also be present on the next date of hearing.

List the matter on 28.11.2018.

I.A.../2018 (Application for clarification / direction / extension of time for the execution of order dated 11.09.2018 for demolition and fulfilling compliance, I.A. No. 139059/2018 (APPLN. FOR DIRECTIONS ON B/O BRIG. M.B. ANAND AND ORS.) and IA NO. 158293/2018 (APPLN. FOR DIRECTIONS ON B/O SWARN SINGH AND ORS.)

List the applications on 28.11.2018.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR

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

(i) IA NO. 145264/2018
(APPLNS. FOR DIRECTIONS ON B/O AMIT JIDANI AND ANR.)

(ii) IA NO. 149100/2018
(APPLN. FOR DIRECTIONS ON B/O MR. MOHAN LAL SINGLA AND OTHERS)

(iii) IA NO. 141629/2018
(APPEAL AGAINST ORDER PASSED BY REGISTRAR (J-I) ON B/O RAKESH MUNJAL)

Date : 12-11-2018 These applications were called on for hearing today.

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

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

Mr. A.D.N. Rao, Advocate (A.C.)
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Mr. Rishi Raj Sharma, Adv.

Ms. Anitha Shenoy, Advocate (A.C.)
Mr. Rishi Raj Sharma, Adv.
Ms. Srishti Agnihotri, Adv.
Ms. Soumya Singh, Adv.

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Mr. Nikhil Rohatgi, Adv.
Mr. Nakul Mohta, Adv.
Mr. Gaurav Jain, Adv.

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Mr. Amrendra Kumar Singh, Adv.

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Mr. Praveen Swarup, Advocate
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Mr. Gaurav Yadava, Adv.
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Mr. Saif Ali, Adv.
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Ms. Rachana Gupta, Adv.
Mr. Jitendra Kumar Tripathi, Adv.

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Ms. Neha Sangwan, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Anil Kumar Mishra, Advocate

Mr. Shivaji M. Jadhav, Advocate

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Ms. Sharmila Upadhyay, Advocate

Mr. Santosh Mishra, Advocate
Mr. Binod Behera, Adv.
Ms. Swati Smita Pati, Adv.
Ms. Anisha Upadhyay, Adv.
Mr. Akash Tyagi, Adv.

Mr. Reepak Kansal, Adv.
Mr. Pravir Chowdhury, Adv.

UPON hearing the counsel the Court made the following

O R D E R

IA NO. 145264/2018

(APPLNS. FOR DIRECTIONS ON B/O AMIT JIDANI AND ANR.)

It is stated by learned counsel for the petitioner that an order has been passed by the Office of the Deputy Commissioner, Narela Zone, North NDMC on 08.11.2018 in respect of M/s Rishi Builcon Pvt. Ltd. owner of Blue Sapphire Model to the effect that misuse or unauthorized construction of Air Conditioned Pandals, Shamiyana or Sheds shall be sealed with seal of the NDMC and the said seal shall remain in the personal custody of the Assistant Engineer (Narela) until further orders.

It is submitted by learned counsel for the applicant that even though the order has been passed on 08.11.2018, it has not yet been given effect to.

While issuing notice to the NDMC, we stay the operation of the order in so far as the applicant - M/s Rishi Builcon Pvt. Ltd. is concerned till 06.12.2018.

However, the Fire Department will ensure and certify that the pandal is safe in every respect from any fire hazard. There must be adequate fire protection and prevention measures and safety measures including Exits etc.

We are informed that if the pandal has capacity of more than 50 persons then the fire safety requirements are self regulatory.

We find this inappropriate. All fire safety measures must be taken. Self regulation cannot work, more particularly in the event

of fire breaking out.

Interim order passed today is subject to the above condition.

List the application on 06.12.2018.

IA NO. 149100/2018 (APPLN. FOR DIRECTIONS ON B/O MR. MOHAN LAL SINGLA AND OTHERS) and IA NO. 141629/2018 (APPEAL AGAINST ORDER PASSED BY REGISTRAR (J-I) ON B/O RAKESH MUNJAL)

List the applications on 06.12.2018.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR

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

IA NO. 158060/2018

(APPLN. FOR DIRECTIONS ON B/O BIRD TRAVELS (P) LTD. AND ANR.)

Date : 12-11-2018 These applications were called on for hearing today.

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

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

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

Mr. Sudipto Sircar, Adv.

Mr. Rishi Raj Sharma, Adv.

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

Mr. Rishi Raj Sharma, Adv.

Ms. Srishti Agnihotri, Adv.

Ms. Soumya Singh, Adv.

Petitioner-In-Person

For Respondent(s) Mr. Kapil Sibal, Sr. Adv.

Mr. Gopal Jain, Sr. Adv.

Mr. Amir Singh Pasrich, Adv.

Mr. Kalyan A., Adv.

Mr. R.K. Mehta, Adv.

Mr. Virender Mehta, Adv.

Mr. Anuj Berry, Adv.

Mr. Siddharth Sanewal, Adv.

Ms. Meera Mathur, Advocate

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

List the matter tomorrow (13.11.2018).

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR