

ITEM NO.57

COURT NO.2

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 &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

(1) REPORT NO. 129 AND 131 SUBMITTED BY MONITORING COMMITTEE

Date : 12-10-2018 This petition was called on for hearing today.

CORAM :

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

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

For Petitioner(s) Petitioner-in-person

For Respondent(s)

UOI

Mr. A.N.S. Nadkarni, ASG  
Mr. R. Balasubramanian, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Pranay Ranjan, Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. Ritesh Kumar, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. G.S. Makker, Adv.  
Ms. Anil Katiyar, Advocate  
Mr. B.V. Balram Das, Advocate  
Mr. Arvind Kumar Sharma, Advocate  
Ms. Rachna Gupta, Adv.  
Mr. Vikas Chaudhary, Adv.

DDA

Mr. G.S. Oberoi, Adv.  
Ms. Garima Prasad, Adv.

NCT of Delhi

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

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

MCD

Mr. Sanjiv Sen, Sr. Adv.  
 Mr. Praveen Swarup, Advocate  
 Mr. Gaurang Kanth, Adv.  
 Mr. Rajeev Yadav, Adv.  
 Ms. Eshita Baruah, Adv.  
 Mr. Sayan Ray, Adv.  
 Mr. Soumo Palit, Adv.  
 Ms. Puja Kalra, Adv.  
 Mr. Balendu Shekhar, Adv.  
 Mr. S. Wasim A. Qadri, Adv.  
 Mr. Saeed Qadri, Adv.

NDMC

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

CPCB

Mr. Vijay Panjwani, Adv.  
 Mr. Vikas Singh, Sr. Adv.  
 Mr. Pradeep Roy, Sr. Adv.  
 Mr. Ajay Kumar Singh, Adv.  
 Mr. Neeraj, Adv.  
 Mr. Satya Ranjan, Adv.  
 Mr. Shushil Pandey, Adv.  
 Mr. Ramshiromani Yadav, Adv.  
 Mr. Mukul Singh, Adv.  
 Mr. Rakesh Tiwari, Adv.  
 Mr. Sanjay, Adv.

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

The office report indicates that No Objection Certificate from Shri Ajay Kumar Singh has not yet been obtained. The alleged contemnor should file the No Objection Certificate in the Registry.

The additional affidavit be filed in this regard before the next date of hearing.

List the matter on 30<sup>th</sup> October, 2018.

It is made clear that the pendency of these proceedings should not deter the Monitoring Committee or any other authority from carrying out its activities and responsibilities.

The alleged contemnor should remain present in Court on the next date of hearing.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
ASSISTANT REGISTRAR

ITEM NO.57

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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 &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

(2) IA NO. 109158/2018(APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O FORUM OF MCD ENGINEERS)

Date : 12-10-2018 This petition was called on for hearing today.

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

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

For Petitioner(s) Petitioner-in-person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG  
UOI Mr. R. Balasubramanian, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Pranay Ranjan, Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. Ritesh Kumar, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. G.S. Makker, Adv.  
Ms. Anil Katiyar, Advocate  
Mr. B.V. Balram Das, Advocate  
Mr. Arvind Kumar Sharma, Advocate  
Ms. Rachna Gupta, Adv.  
Mr. Vikas Chaudhary, Adv.

DDA Mr. G.S. Oberoi, Adv.  
Ms. Garima Prasad, Adv.

NCT of Delhi Mr. D.N. Goburdhun, Advocate  
Ms. Pallavi Chopra, Adv.  
  
Mr. Chirag M. Shroff, Adv.

Joysshree Barman, Adv.  
Ms. Neha Sangwan, Adv.

MCD

Mr. Sanjiv Sen, Sr. Adv.  
Mr. Praveen Swarup, Advocate  
Mr. Gaurang Kanth, Adv.  
Mr. Rajeev Yadav, Adv.  
Ms. Eshita Baruah, Adv.  
Mr. Sayan Ray, Adv.  
Mr. Soumo Palit, Adv.  
Ms. Puja Kalra, Adv.  
Mr. Balendu Shekhar, Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Saeed Qadri, Adv.

NDMC

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

CPCB

Mr. Vijay Panjwani, Adv.  
  
Mr. Jasmeet Singh, Adv.

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

This is an application for direction filed on behalf of the Forum of MCD Engineers.

Affidavit has not been filed in terms of the order dated 3<sup>rd</sup> October, 2018.

Learned counsel for the applicant says that he will file the necessary affidavit well before the next date of hearing.

List the application after six weeks.

In the meanwhile, we may note the submission of learned Additional Solicitor General that an FIR has been filed in every case which has been brought to the notice of Delhi Police.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
ASSISTANT REGISTRAR

ITEM NO.57

COURT NO.2

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 &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

(3) IA NO. 137072/2018 (APPLNS. FOR DIRECTIONS ON B/O ROHIT GUPTA)  
ALONGWITH REPORT NO. 130 SUBMITTED BY MONITORING COMMITTEE

Date : 12-10-2018 This petition was called on for hearing today.

CORAM :

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

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

For Petitioner(s)      Petitioner-in-person

For Respondent(s)

UOI

Mr. A.N.S. Nadkarni, ASG  
Mr. R. Balasubramanian, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Pranay Ranjan, Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. Ritesh Kumar, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. G.S. Makker, Adv.  
Ms. Anil Katiyar, Advocate  
Mr. B.V. Balram Das, Advocate  
Mr. Arvind Kumar Sharma, Advocate  
Ms. Rachna Gupta, Adv.  
Mr. Vikas Chaudhary, Adv.

DDA

Mr. G.S. Oberoi, Adv.  
Ms. Garima Prasad, Adv.

NCT of Delhi

Mr. D.N. Goburdhun, Advocate

Ms. Pallavi Chopra, Adv.

Mr. Chirag M. Shroff, Adv.

Joyshree Barman, Adv.

Ms. Neha Sangwan, Adv.

MCD

Mr. Sanjiv Sen, Sr. Adv.

Mr. Praveen Swarup, Advocate

Mr. Gaurang Kanth, Adv.

Mr. Rajeev Yadav, Adv.

Ms. Eshita Baruah, Adv.

Mr. Sayan Ray, Adv.

Mr. Soumo Palit, Adv.

Ms. Puja Kalra, Adv.

Mr. Balendu Shekhar, Adv.

Mr. S. Wasim A. Qadri, Adv.

Mr. Saeed Qadri, Adv.

NDMC

Mr. Yoginder Handoo, Adv.

Mr. Prashant Bhatnagar, Adv.

CPCB

Mr. Vijay Panjwani, Adv.

Mr. Mukul Rohatgi, Sr. Adv.

Mr. Sourav Kirpal, Adv.

Ms. Diksha Rai, Adv.

Mr. Nikhil Rohatgi, Adv.

Ms. Rhea Dube, Adv.

Ms. Palak Mahajan, Adv.

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

Mr. Puneet Gupta, brother of Mr. Rohit Gupta, who is the co-owner of the land in question, is present in Court today.

Learned counsel for the applicant (Rohit Gupta) has handed over an affidavit in Court today to the effect that, with regard to Khasra No.646/1, 646/2, 647, 648, 649, 650, 651, 652/2, 652/3, 653, 625, 626/2, 631, 632/2/1, 632/2/2, 632/2/3, 633/1 situated at Village Chhattarpur, New Delhi, the applicant intends to raise a new construction/addition or alterations to the existing

Motel Tivoli keeping in view 175 FAR available in Master Plan Delhi 2021.

It is further stated that this would apply to the adjoining plot measuring approximately 2.5 acres (described as Khasra No.631 by Monitoring Committee) which is currently being used for parking and on which are stationed 6 old Railway coaches.

It is further stated that the applicant has applied to the South Delhi Municipal Corporation for the said purpose on 11<sup>th</sup> September, 2018.

The applicant further states on affidavit that the application may be considered by the said Corporation after de-sealing the basement.

The applicant states that all activity on the property in question, as described above, will be ceased within two weeks from today and in the said period, the applicant will surrender all its licences like Health, Police (Licensing), Excise, Fire NOC, Lodging Licence, etc. The applicant will also in the same period surrender its electricity connection which is currently commercial.

The applicant further states that it shall build in accord with the permission as and when granted. In other words, the applicant will cease its business activities within two weeks from today.

It is prayed that the basement on the suit plot be de-sealed and the present application may be disposed of

accordingly.

Taking into account the affidavit filed by the applicant, we dispose of the application giving permission to the applicant to carry out the activities as stated in the affidavit, provided they are fully in compliance with law.

The South Delhi Municipal Corporation will consider the application filed by the applicant strictly in accordance with law and preferably within reasonable time-frame.

However, we reject the request of the applicant for de-sealing the basement. The South Delhi Municipal Corporation will consider the application even though the basement is not de-sealed.

Application is disposed of.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
ASSISTANT REGISTRAR

ITEM NO.57

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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 &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

(4) IA NO. 105251/2018 (APPLN. FOR DIRECTIONS ON B/O HDFC BANK LTD.)ALONGWITH REPORT NO. 132 SUBMITTED BY MONITORING COMMITTEE

(5) IA NO. 124213/2018 (APPLN. FOR DIRECTIONS ON B/O KOTAK MAHINDRA BANK LTD.)ALONGWITH REPORT NO. 132 SUBMITTED BY MONITORING COMMITTEEIN

Date : 12-10-2018 This petition was called on for hearing today.

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

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

For Petitioner(s) Petitioner-in-person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG  
UOI Mr. R. Balasubramanian, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Pranay Ranjan, Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. Ritesh Kumar, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. G.S. Makker, Adv.  
Ms. Anil Katiyar, Advocate  
Mr. B.V. Balram Das, Advocate  
Mr. Arvind Kumar Sharma, Advocate  
Ms. Rachna Gupta, Adv.  
Mr. Vikas Chaudhary, Adv.

DDA Mr. G.S. Oberoi, Adv.  
Ms. Garima Prasad, Adv.

NCT of Delhi	Mr. D.N. Goburdhun, Advocate Ms. Pallavi Chopra, Adv.  Mr. Chirag M. Shroff, Adv. Joyshree Barman, Adv. Ms. Neha Sangwan, Adv.
MCD	Mr. Sanjiv Sen, Sr. Adv. Mr. Praveen Swarup, Advocate Mr. Gaurang Kanth, Adv. Mr. Rajeev Yadav, Adv. Ms. Eshita Baruah, Adv. Mr. Sayan Ray, Adv. Mr. Soumo Palit, Adv. Ms. Puja Kalra, Adv. Mr. Balendu Shekhar, Adv. Mr. S. Wasim A. Qadri, Adv. Mr. Saeed Qadri, Adv.
NDMC	Mr. Yoginder Handoo, Adv. Mr. Prashant Bhatnagar, Adv.
CPCB	Mr. Vijay Panjwani, Adv.
HDFC	Mr. Mukul Rohatgi, Sr. Adv. Mr. Sanjay Gupta, Adv. Ms. Varsha Kriplani, Adv. Mr. Ateev Mathur, Adv. Ms. Jagriti Ahuja, Adv. Mr. Gagan Gupta, Advocate.
Kotak M.	Mr. Dhruv Mehta, Sr. Adv. Mr. Sanjay Gupta, Adv. Ms. Varsha Kriplani, Adv. Mr. Ateev Mathur, Adv. Ms. Jagriti Ahuja, Adv. Mr. Gagan Gupta, Advocate.

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

List the applications on 25<sup>th</sup> October, 2018.

In the meanwhile, a decision may be taken on the show-cause notice. However, till the next date of hearing the Banks may not be sealed.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
ASSISTANT REGISTRAR

ITEM NO.801

COURT NO.2

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

I.A. Diary No. 149100/2018 in Writ Petition(s)(Civil) No(s).  
4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 12-10-2018 This petition was mentioned today.

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

Mentioned by: Mr. Neeraj Kishan Kaul, Sr. Adv.  
Ms. Ranjeeta Rohatgi, Adv.

UPON being mentioned the Court made the following

O R D E R

List the matter on 22.10.2018.

(MEENAKSHI KOHLI)  
COURT MASTER

(KAILASH CHANDER)  
ASSISTANT REGISTRAR