

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)

(1) IA NO. 2768/2016 (APPLN. FOR DIRECTIONS FILED BY A.C.) 2) I.A. NOS. 181186 AND 181193/2022 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O KAMAL TANWAR) 3) I.A. NOS. 65437 AND 69800/2022 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O DEWAN AND SONS INVESTMENT PVT. LTD.) IN W.P. (C) NO. 4677/1985 "ONLY" ARE LISTED "ONLY" NAMES OF FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST : MR. S GURU KRISHNA KUMAR, SR. ADVOCATE (A.C.) MS. ANITHA SHENOY, SR. ADVOCATE (A.C.) MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.) PETITIONER-IN-PERSON MR. G.S. MAKKER, MR. AMRISH KUMAR, MR. PRAVEEN SWARUP, MR. NISHIT AGRAWAL, MR. CHIRAG M. SHROFF, MR. SURYA KANT, MR. DEVANSHU KUMAR DEVESH, MS. ROOH-E-HINA DUA, ADVOCATES MR. KAUSHAL YADAV, MS. RAKHI RAY, ADVOCATES

Date : 28-02-2025 This petition was called on for hearing today.

CORAM :

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HON'BLE MR. JUSTICE UJJAL BHUYAN

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

IA NO. 2768/2016 (APPLN. FOR DIRECTIONS FILED BY A.C.)

1. Our attention is invited to prayer clause (b) of the application. Now, the Municipal Corporation of Delhi (MCD) is the successor of the South Delhi Municipal Corporation. We direct the MCD to furnish names of the officers as sought in prayer clause (b). We also direct the MCD to place on record the present status of construction on the land described in prayer clause (b); the extent of construction with photographs; and whether there are any proceedings pending in relation to the structures. We grant time till 17th March, 2025 to the MCD to comply with the order.

To be listed on 26th March, 2025 at 3.00 p.m.

I.A. NOS. 181186 AND 181193/2022 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O KAMAL TANWAR)

2. Notwithstanding our order dated 17th January, 2025, the Government of Delhi has not complied with the said order. Today, a member of the Bar appears and states that he is not appearing for the Government of Delhi but he is appearing for the Department of Forest, Government of Delhi. We wonder how the State Government and one department of the State Government can engage two separate Advocates.

3. We direct the Registry to immediately communicate this order to the Chief Secretary of the Government of Delhi who shall personally ensure that compliance is made with our order dated 17th January, 2025 within a maximum period of three weeks from today.

4. We make it clear that if compliance is not made within the time stipulated, an action under the Contempt of Court Act, 1971 will be initiated against the concerned officers of the Government of Delhi.

5. To be listed on 26th March, 2025 at 3.00 p.m.

I.A. NOS. 65437 AND 69800/2022 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O DEWAN AND SONS INVESTMENT PVT. LTD.)

6. These applications have been already disposed of as per the submissions made by the learned senior counsel appearing for the applicants. Therefore, the same shall be treated as disposed of.

7. However, the learned senior counsel appointed as Amicus Curiae has invited our attention to the order dated 20th May, 2022 passed by this Court in IA No.75854 of 2022 in Writ Petition (Civil)No.4677 of 1985 filed by the same applicant in IA No.69800 of 2022 (M/s. Dewan And Sons Investment Pvt. Ltd.). The learned senior counsel appointed as Amicus Curiae has submitted that it will be appropriate if Writ Petition (Civil)No.4353 of 2022 is expeditiously disposed of considering the issues involved therein.

8. We direct the Registrar General of the High Court of Delhi to submit a report to this Court about the status of Writ Petition (Civil)No.4353 of 2022 and state whether the said Writ Petition is ready for final hearing.

10. A copy of this order shall be forwarded to the Registrar General of the High Court of Delhi by the Registry of this Court. The report will be considered on 26th March, 2025 at 3.00 p.m.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER