

ITEM NO.55+57

COURT NO.4

SECTION PIL

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.No.2641 In C.P.(C) No.222/2012 and I.A.Nos.2673-2675 and
2676-2677 In I.A.No.22 In Writ Petition(s) (Civil) No(s).
4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For restoration and permission to file impleadment and for
impleadment and directions and permission and extension of time and
office report)

With

I.A.Nos.2678-2679 & 2680-2683 In I.A.No.22 In Writ Petition(s)
(Civil) No(s).4677/1985

(For impleadment and extension of time, permission to file
intervention and office report)

Date : 13/03/2015 These applications were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE S.A. BOBDE

Mr. Ranjit Kumar, SG (NP)

For Petitioner(s) Petitioner-in-person (NP)

For Respondent(s)

For RR No.6

Mr.Dhruv Mehta, Sr.Adv.
Mr.Anupan Srivastava, Adv.
Mr.Abhay Kumar, Adv.
Mr.Nikhil Sharma, Adv.

For State of
Haryana

Mr.Anil Grover, AAG
Ms.Noopur Singhal, Adv.

Mr.Sanchar Anand, Adv.
Mr.Apoorva Singhal, Adv.

For NCT of Delhi

Ms.Kiran Bhardwaj, Adv.
Mr.M.P.Gupta, Adv.
Mr.M.Khairati, Adv.
Mr.D.S.Mahra, Adv.

For RR No.7

Mr.Sumit Verma, Adv.
Mr.Sumit Kumar, Adv.

Mr. Devender Singh, Adv.

Mr.Rakesh Munjal, Adv.
Mr.S.S.Ray, Adv.
Ms. Rakhi Ray, Adv.
Mr.Vaibhav Gupta, Adv.
Mr.Rajan Tyagi, Adv.

Mr. Sanjay Sehrawat, Adv.

Mr.Kaushal Yadav, Adv.

Mr.Parmanand Gaur, Adv.

Mr.D.N.Goburdhan, Adv.
Mr.Prabal Bagchi, Adv.

For UOI

Ms.V.Mohana, Adv.
Mr.Shailender Sharma, Adv.
Mr.S.N.Terdal, Adv.

Upon hearing the counsel the Court made the following

O R D E R

I.A.No.2641 in C.P.(C)No.222/2012

Learned counsel appearing on behalf of the Delhi Administration seeks an adjournment so as to enable him to file a short affidavit.

The affidavit be filed within two weeks from today.

List thereafter.

I.A.Nos.2673-2675 in I.A.No.22 in WP© No.4677 of 1985

The applications are allowed in terms of the prayer made.

I.A.Nos.2676 of 2015 in I.A.No.22 in WP © No.4677 of 1985

Insofar as the issue in the instant interlocutory application is concerned, the applicant had approached the concerned Tribunal belatedly, and not within the time stipulated by

this Court's order dated 30.04.2013 and further extended by order dated 31.10.2013. As such, the concerned Tribunal has dismissed the appeal preferred by the applicant on account of having not approached the concerned Tribunal within the stipulated time.

Having given our thoughtful consideration to the issue in hand, we are satisfied, that the order passed by the concerned Tribunal dismissing the claim of the applicant for reasons of delay deserve to be set aside, and the same are accordingly hereby set aside. The applicant shall be deemed to have approached the concerned Tribunal within the stipulated time, and accordingly, the appeal filed by the applicant is restored to its original number, on the record of the concerned Tribunal. The concerned Tribunal shall now dispose of the controversy raised by the applicant on merits and in accordance with law.

The instant interlocutory application is disposed of in the aforesaid terms.

I.A.Nos.2677 of 2015 in in I.A.No.22 in WP © No.4677 of 1985

The application for impleadment is allowed in terms of the prayer made.

I.A.No.2678 of 2015 in I.A.No.22 in WP©No.4677 of 1985

The application for impleadment is allowed in terms of the prayer made.

I.A.No.2679 of 2015 in I.A.No.22 in WP©No.4677 of 1985

The applicant in the aforesaid interlocutory application has approached this Court seeking an extension of time, so as to approach the concerned Tribunal on account of the fact that the concerned Tribunal was not approached within the stipulated 30

days' time depicted in this Court's order dated 30.04.2013, or the extended time permitted vide order dated 31.10.2013.

Having given our thoughtful consideration to the issue in hand, we hereby extend the period to approach the concerned Tribunal by a further period of 30 days' from today.

The aforesaid interlocutory application is allowed in the aforesaid terms.

I.A.Nos.2680-2682 in I.A.No.22 in WP©No.4677 of 1985

The applications are allowed in terms of the prayer made and the applicant is allowed to intervene in the proceedings of the case.

I.A.No.2681-2683 in I.A.No.22 in WP©No.4677 of 1985

The applicant in the aforesaid interlocutory applications has approached this Court seeking permission to file an application for extension of time as also for extension of time, so as to approach the concerned Tribunal on account of the fact that the concerned Tribunal was not approached within the stipulated 30 days' time depicted in this Court's order dated 30.04.2013, or the extended time permitted vide order dated 31.10.2013.

Having given our thoughtful consideration to the issue in hand, we hereby extend the period to approach the concerned Tribunal by a further period of 30 days' from today.

The aforesaid interlocutory applications are allowed in the aforesaid terms.

(SATISH KUMAR YADAV)
COURT MASTER

(RENU DIWAN)
COURT MASTER