

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. 2447-2448

IN

I.A. No.22

IN

WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[for impleadment and directions on behalf of Gyan Gupta)

AND

I.A. No. 2474-2475 in I.A. No. 22 in W.P.(C) No. 4677/1985

(for impleadment and directions on behalf of M/s. Jhankar Banquet)

AND

I.A. No. 2476 in W.P.(C) No. 4677/1985

(for impleadment on behalf of Asiad Village

With

I.A. No. 2348 in I.A. No. 2252 in W.P.(C) No. 4677/1985

(For direction on behalf of J.L.Garg & Ors.)

AND

I.A.Nos. 2501, 2502, 2509 in I.A. No. 22 in W.P.(C) No. 4677/1985

(For impleadment and directions and permission to file additional documents on behalf of the applicant i.e. Dr. Ashish Makkar & Ors.)

AND

I.A. No. 2206-2207 in W.P.(C) No. 4677/1985

(For impleadment on behalf of RWA friends colony for setting aside order dated 31.8.2007)

Contempt Petition (C) No. 9 of 2006 in WP(C) No. 4677 of 1985

IA Nos. 2366 in IA 22 IN W.P. (C) No. 4677 of 1985

(Application for direction on behalf of Utpala Mukherjee & Co.)

I.A. No. 2505-2506 in W.P.(C) No. 4677/1985)

(Application for impleadment and direction on behalf of Sir Sobha Singh & Sons Pvt. Ltd. & Anr.)

I.A. No. 2507-2508 in W.P.(C) No. 4677/1985)

(Appln. for impleadment and direction on behalf of learning tree play school)

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I.A. No. 2510-2511 in W.P.(C) No. 4677/1985)

(Appln. for impleadment and direction on behalf of Ardee Montessori School)

I.A. No.D No. 56887/2011 in W.P.(C) No. 4677/1985)

(Appln. for direction on behalf of Sujana Singh Park Traders Assn.)

IA NO. 1531 in IA 22 IN W.P. (C) 4677 OF 1985

[For directions on behalf on behalf of Naraina industrial area, cetp society through its president with office report)

IA NO. 1791 in W.P. (C) 4677 OF 1985
(For directions on behalf of naraina industrial area cetp society)

IA NO. 1846 in W.P. (C) 4677 OF 1985
(for direction on behalf of Okhla Industrial Estate, C.E.T.P.)
with

IA 1828 & 1829 in IA 1531 in IA no. 22 in W.P. (C) NO. 4677 of 1985
[for directions and impleadment on behalf of Present Kalyan
Brastachar Virodhi Sangarsh Samiti)

IA 1830 in IA 1531 in IA 22 in W.P. (C) NO. 4677 of 1985
[for exemption from depositing the cost of C.E.T.P. on behalf of M/s.
Pure Drinks Ltd.)

IA 1834 in IA 1531 in IA 22 in W.P. (C) NO. 4677 of 1985
[for impleading on behalf of M/s.Anand Prabat Industrial Area,
C.E.T.P. Society)

WITH
IA 1868-1869 in IA 1531 in W.P. (C) NO. 4677 of 1985
[for directions and impleadment on behalf of Britannia Industries Ltd.)

WITH
IA 1861 in IA 1531 in IA 22 in W.P. (C) NO. 4677 of 1985
[for directions on behalf of Anand Prabat Effluent Treatment Ltd.)

WITH
IA 1862 in IA 1531 in IA 22 in W.P. (C) NO. 4677 of 1985
[for directions on behalf of Anand Prabat Effluent Treatment Ltd.)

WITH
IA 1863 in IA 1531 in IA 22 in W.P. (C) NO. 4677 of 1985
[for directions on behalf of Maya Puri Industrial C.E.T.P. Society)

WITH
IA 1183 in IA 22 in in W.P. (C) NO. 4677 of 1985
[for directions on behalf of Confederation of Delhi Industrial
C.E.T.P. Society)

WITH
IA 1216 in IA 22 in in W.P. (C) NO. 4677 of 1985

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[for clarification of court's order dated 16.3.1998 on behalf of Bank
of India)

WITH
IA 1833 in IA 1531 in W.P. (C) NO. 4677 of 1985
[for directions on behalf of Naraina Industrial area CETP Society)

WITH
IA 1842 in IA 1531 in in W.P. (C) NO. 4677 of 1985
[for permission to the respondent No. 8 G.T. Karnal Road Industrial
Society for bringing new material/addl. facts on record)

WITH
Cont. Petition (C) 134/2003 in W.P. (C) NO. 4677 of 1985

WITH
I.A. No. 1879 in I.A. No. 1531 in I.A. No. 22 in WP(C) No. 4677/1985
(For directions on behalf of Govt. of N.C.T., Delhi)

IA No.1905 in WP (C) No. 4677 of 1985
{on behalf of okhla industrial estate C.E.T.P.)

with

Cont. Petition (C) No. 82/2008 in IA 1905 in WP(C) 4677 of 1985

WITH
IA 1909 in WP (C) No. 4677 of 1985
[for directions on behalf of G.T. Karnal Road CETP Society)

WITH
IA no. 1910 in WP (C) No. 4677 of 1985
[on behalf of M/s. Wazirpur Industries Pollution Control Co.)

Contempt Petition (C) No. 64/2007 in WP (C) No. 4677 of 1985

SLP (C) No. 7239 OF 2006
[with appln. for permission to file additional directions and with prayer for interim relief) affidavit and

Date: 14/07/2011 These I.As. were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE G.S. SINGHVI

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

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M.C. Mehta (in-person) (not present)

SLP (C) 7239 Ms. Meera Mathur, Adv.

For respondents/ :
applicants

IA 2447-2448 Mr. Rajiv Dutta, Sr. Adv.
Mr. Sanat Kumar, Adv.
Mr. R.K. Sanghi, Adv.
Mr. T. Anil Kumar, Adv.

IA Nos. 2505-06 Mr. Mukul Rohtagi, Sr. Adv.
Mr. Aman, Adv.
Mr. R.N. Karanjawala, Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Abeer Kumar, Adv.
Mr. R. Dhillon, Adv. for
M/s Karanjawala & Co.

IA 2501-2, 2509 Mr. V.A. Mohta, Sr. Adv.
Mr. S.A.Syed, Adv.
Mr. Shuaib-uddin, Adv.
Mr. M. Parvez Dabas, Adv.
Mr. S.A.Saud, Adv.

NDMC Mr. Vikek Tankha, ASG
Mr. Sanjiv Sen, Adv.
Mr. Surya Kant, Adv.
Mr. Ujja Benerjee, Adv.

MCD Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.
Mr. P. Parmeswaran, Adv.
Mr. Ujjal Benarjee, Adv.

DDA Mr. Ashwani Kumar, Adv.

IA 2206-2207 Mr. Sonal Jain, Adv.
Ms. Priyanka Thakur, Adv.

Mr. R.M. Brahma, Adv.
Mr. Shakeel Ahmad Syed, Adv.

For Lal Path Lab. Ms. Indu Malhotra, Sr. Adv.
Mr Dheeraj Nair, Adv.
Mr.Siddharth Sethi, Adv.

IA 2507-08 Mr. Saurabh Kirpal, Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Abeer Kumar, Adv.
Mr. R. Dhillon, Adv. for
M/s. Karanjawala & Co.

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Delhi Govt. Mr. D.N. Goburdhan, Adv.
DSIDC, DPCC Mr. Prabal Bagchi, Adv.

Delhi Police

IA 2510-2511 Mr. Sanjay R. Hegde, Adv.
Mr. Anil Kumar Mishra, Adv.

CP No. 9 Mr. Ashok Kumar Gupta, Adv.
Mr. Farrukh Rasheed, Adv.
Mr. Avijit Bhattacharjee, Adv.

Mr. Rakesh Kumar Khanna, Sr. Adv.
Dr. Rashmi Khanna, Adv.
Mr. Surya Kant, Adv.
Mr. Pranav Vyas, Adv.
Ms. Seema Rao, Adv.
Ms. Purnima Jauhari, Adv.

IA 1216 Mr. Sudarsh Menon, Adv.

CP 134 Mr. S.Sukumaran, Adv.
IA 1830 Mr. Anand Sukumar, Adv.
Mr. Bhupesh Kumar Pathak, Adv.
Mr. K. Rajeev, Adv.

IA 2474-76 Mr. M.L. Lahoty, Adv.
Mr. Sukumar Agarwal, Adv. for
Mr. Himanshu Shekhar, Adv.

IA 2348 Mr. Sushil Kumar Jain, Adv.

IA 2366 Ms. Meenakshi Arora, Adv.

IA No...D.56887 Ms. Meenakshi Arora, Adv.

IA 1531 Mr. Viswajit Singh, Adv.
Mr. K. Rajeev, K.John & Co.
Mr. Ashok Kr. Sharma, Adv.

Mr. P.N. Puri, Adv.

Ms. Sheil Sethi, Adv.

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Mr. Rajesh Gupta, Adv.
Mr. Harpreet Singh, Adv.
Mr. Sumit R. Sharma, Adv. for
M/s. K.J. John & Co.

IA 1791 Mr. R.S. Puri, Adv.
IA 1846 Mr. Ankur Saigal, Adv. for
Ms. Bina Gupta, Adv.
IA 1828-1829 Mr. Debasis Misra, Adv.
IA 1830 Mr. K. Rajeev, Adv.
IA 1834 Mr. S.C. Paul, Adv.
Ms. Resham Singh, Adv.
Mr. Satwinder Kaur, Adv.
Mr. Ashok Kumar, Adv.
Mr. Satyendra Kumar, Adv.
IA 1868-1869 Mrs. Kamakshi S. Mehlwal, Adv.
IA 1861-1863 Mr. Ashok Kr.Sharma, Adv.
IA 1183 Mr. M.K.D. Namoodiri, Adv.
IA 1833 Mr. Ashok Kr.Sharma, Adv.
IA 1842 Mr. Kamlendra Mishra, Adv.
CP 134 Mr. K. Rajeev, Adv.
IA 1879 Mr. D.N. Goburdhan, Adv.
IA 1905 Mr. G.K. Bansal, Adv.
CP No. 82 Mr. G.K. Bansal, Adv.
IA 1909 Mr. Pramod Swarup, Adv.
IA 1910 Mr. Ashok Kr.Sharma, Adv.
CP64 Mr. Gulshan Bajwa (in-person)
SLP(C) 7239 Mr. Amir Singh Pasrich, Adv.
Mr. Aditya Jain, Adv.
Ms. Meera Mathur, Adv.
Mr. Suresh Chandra Tripathy, Adv.

Mr. Vishnu B. Saharya, Adv.

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Mr. Ramesh Singh, Adv.
Mr. Marsook Bafaki, Adv.

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

IA Nos. 2447-2448:

Mr. Rajiv Dutta, learned senior counsel appearing for
the applicant submits that he has been provided only copy of
the report No. 80 of the Monitoring Committee and prays that
the copy of the report Nos. 55,75 and 88 of the Monitoring

Committee may be supplied to him. He further seeks time to file rejoinder to the reply filed by the D.D.A.

Copy of the aforesaid reports of the Monitoring Committee be given to the applicant within one week.

Two weeks' time is granted to the applicant to file rejoinder to the reply filed by the D.D.A.

I.A. Nos. 2474-2475 and 2476:

Mr. Mukul Rohtagi, learned senior counsel appearing for the applicant seeks time to file rejoinder to the reply filed by D.D.A.

Monitoring Committee is also permitted to file rejoinder to the reply filed by D.D.A. within two weeks from today.

I.A. No. 2348:

Mr. Puneet Jain, learned counsel appearing for the applicant prays for and is granted two weeks' time to file reply to the report of the Monitoring Committee.

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I.A. Nos. 2501, 2502 and 2509:

Copy of the I.As. and concerned report of the Monitoring Committee be given the M.C.D. to file reply within two weeks from today.

Consideration of the replies filed by the D.D.A., M.C.D. and Delhi Government to the Report No. 85 is deferred till the next date of hearing.

Contempt Petition (C) No. 9 of 2006:

At the request of learned counsel for the applicant, list this Petition after two weeks.

I.A. No. 2366:

Mr. Mukul Rohtagi, learned senior counsel appearing

for the applicants prays for and is granted two weeks' time to file reply to the report of the Monitoring Committee.

IA Nos. 2206-2207:

Learned counsel appearing for the applicant prays for and is granted two weeks' time to file reply to the report of the Monitoring Committee.

List the aforesaid I.As. and Contempt Petition (C) No.9 of 2006 on 3.8.2011 at 2 p.m.

I.A. No. 2505-2506, 2507-2508, 2510-2511 and I.A.
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No.....D.No. 56887 of 2011:

Mr. Ranjit Kumar, learned Amicus Curiae very fairly makes a statements before us suggesting that the applicants have filed certain documents in these I.As. and the Monitoring Committee may not have the documents which have now been filed in these I.As. Learned Amicus Curiae suggests that the applicants should approach the Monitoring Committee along with these documents and further affidavits, if any, and apprise the Monitoring Committee of their stand. The Monitoring Committee is directed to hear these applicants and decide within four weeks on the basis of the aforesaid documents.

I.A. Nos. 1531, 1791, 1846, 1828, 1829, 1830 in IA 1531, 1834, 1868-1869, 1861, 1862, 1863, 1183, 1216, 1833, 1842, 1905, 1909, 1910 and Contempt Petition Nos. 134/2003, 82/2008 and 64 of 2007:

Mr. D.N. Goburdhan, learned counsel appearing for the Delhi Government and Delhi Pollution Control Board prays for and is granted eight weeks' time to file reply in compliance of order dated 4.5.2011 passed by this Court.

List these I.As. after eight weeks.

SLP (C) No. 7239 of 2006:

I.A. No. 6 has been filed by the petitioner seeking leave of the Court to withdraw this Special Leave Petition. Permission granted. This Special Leave Petition is,

accordingly, dismissed as withdrawn without prejudice to the
rights of the petitioner, if any.

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(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Assistant Registrar