

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

I.A. No. 2447-2448

IN

IA 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. NOS. 2474-2475 IN IA NO. 22 IN WP(C) NO. 4677/1985

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

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

(for impleadment on behalf of Asiad Village)

WITH

I.A. No. 2470 in I.A. Nos. 2187, 2204 in IA No. 22 in WP(C) No.

4677/1985

(for impleadment and directions on behalf of Vansh Properties)

AND

I.A. Nos. 2456-2457 in I.A. No. 22 in WP(C) No. 4677/1985

(for intervention and directions on behalf of Sudhir Bardyar)

AND

IA Nos. 2482 in IA Nos. 2051-2052 in WP (C) No. 4677 of 1985

[for impleadment and directions on behalf of Delhi Society for welfare of Special Child Mentally Retarded)

AND

IA Nos. 2489-2490 in W.P. (C) No. 4677 of 1985

[for impleadment and direction on behalf of Vandana Kumar)

And

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

[for stay on behalf of Jaimuddin & another)

AND

IA Nos. 2178-2179 in W.P. (C) No. 4677 of 1985

[for stay and directions on behalf of Banav Das Chandiwala Smarak Trust)

AND

IA Nos. 2159-2160 in IA 22 IN W.P. (C) No. 4677 of 1985

[for impleadment and direction on behalf of Mahabir Singh)

WITH

IA NO. 2493 IN IA 2484-2485 IN WP(C) NO. 4677/1985

CON.PETN. (C) NO. D1059/2011 IN IA NOS. 2484-2485 IN WP(C) NO. 4677/1985

IA NOS. 2372-2373 IN WP(C) NO. 4677/1985

[for permission to file desealing on behalf of Benu Dua)

IA NOS. 2480-2481 IN WP(C) NO. 4677/1985

[for impleadment and directions on behalf of Parvinder Singh Anand)

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

[FOR DIRECTIONS ON BEHALF OF NARAINA INDUSTRIAL AREA, CETP SOCIETY THOROUGH ITS PRESENT WITH OFFICE REPORT)

WITH  
IA NO. 1791 IN W.P. (C) 4677 OF 1985  
[for directions on behalf of Naraina Industrial Area CETP Society)  
IA 1846 in W.P. (C) NO. 4677 of 1985  
[for directions 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)  
WITH  
IA 1830 in IA 1531 in IA 22 in W.P. (C) NO. 4677 of 1985  
[for exemption from depositing the cost fo C.E.T.P. on behalf of M/s.  
Pure Drinks Ltd.)  
WITH  
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 Prabab 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  
[for clarification of court's order dated 16.3.1998 on behalf of Bank  
of India )  
WITH  
IA 1833 in IA 22 in IA 1531 in W.P. (C) NO. 4677 of 1985  
[for directions on behalf of Naraina Industrial area CETP Society )  
WITH

3

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  
[for directions on behalf of Govt. of N.C.T. of Delhi )  
WITH  
I.A. No. 1879 in I.A. No. 1531 in I.A. No. 22 in WP(C) No. 4677/1985  
  
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 WPC 4677 of 1985  
WITH  
IA 1909 in WP (C) No. 4677 of 1985  
[fro 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  
IA Nos. 1899-1900 in WP (C) No. 4677 of 1985  
[for directions and permission to file application on behalf of Ajit  
Singh Tomer)  
AND  
Contempt Petition (C) No. 130/2005 in WP (C) No. 4677 OF 1985  
and

Contempt Petition (C) No. 117 of 2006 in WP (C) No. 4677 of 1985  
and  
Contempt Petition (C) No. 9 of 2006 in WP(C) No. 4677 of 1985  
and  
Contempt Petition (C) No. 98 of 2008 in WP(C) No. 4677 of 1985  
WITH  
SLP (C) No. 7239 OF 2006  
[with appln. for permission to file additional affidavit and  
directions and with prayer for interim relief)

Date: 05/4/2011 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.)  
Mr. R.P. Bhatt, Sr. Adv.  
Ms. Anita Pandey, Adv.  
Mr. Vishnu Sharma, Adv.

For applicants : Mr. Mukul Rohtagi, Sr. Adv.  
Mr. R.K. Sanghi, Adv.  
Mr. T. Anil Kumar, Adv.

4

IA 22 in WP4677/05: Mr. B.K. Pal, Adv.

IA 2476 : Mr. M.L. Lahoty, Adv.  
Mr. Paban K. Sharma, Adv.  
Mr. Sukumar Agarwal, Adv.  
Mr. Himanshu Shekhar, Adv.

IA 2489-90 : Mr. Ravi P. Mehrotra, Adv.  
Ms. Deepti R. Mehrotra, Adv.  
Mr. Vibhu Tiwari, Adv.

Conmt. Pet (C) 9/2006  
in WP(C) No. 4677/85 Mr. Avijit Bhattacharjee, Adv.  
Ms. Sarbani Kar, Adv.  
Ms. Debjani Das Purkayastha, Adv.  
Mr. Bidyabrata Acharya, Adv.

IA 1830 Mr. S. Sukumaran, Adv.  
Mr. Anand Sukumar, Adv.  
Mr. Bhupesh Kumar Pathak, Adv.  
Mr. Meera Mathur Harchandani, Adv.

IA 2372-73 Md. Mobin Akhtar, Adv.  
Mr. Arun K. Beriwal, Adv.

For Respondent/applicants:

IA 2447-48 Mr. Sanjiv Sen, Adv.  
Mr. P. Parmeswaran, Adv.  
Mr. Praveen Swarup, Adv.  
Mr. Ujjal Banerjee, Adv.

(WP(C) No. 4677/85  
Govt. of NCT) Mr. R.C. Kaushik, Adv.  
Mr. D.N. Goburdhan, Adv.  
Mr. Prabal Bagchi, Adv.

Mr. Nikhil Goel, Adv.  
Mr. Marsook Bafaki, Adv.

IA 1842 in IA 1531: Mr. Shakhar Raj Sharma, Adv.  
Mr. G.V. Rao, Adv.  
Mr. Kanbrdra Mishra, Adv.

IA 2474-75 (DDA) Mr. Ashwani Kumar, Adv.  
Ms. Iti Sharma, Adv.

IA 1834: Mr. S.C. Paul, Adv.  
Mr. Rahul Kumar, Adv.

IA 1846: Mr. Ankur Saigal, Adv.  
Mr. Abhay Anand Jena, Adv.

5

Ms. Bina Gupta, Adv.

IA 1531 in WP4677: Mr. Rakesh Kumar Khanna, Sr.Adv.  
Dr. Rashmi Khanna, Adv.  
Mr. Surya Kant, Adv.  
Ms. Seema Rao, Adv.  
Mr. Pranav Vyas, adv.  
Mr. Dushyant Prashar, Adv.

IA 2447-2448 Ms. Shiel Sethi, Adv.

IA 2493 Mr. V.A.Mohta, Sr. Adv.  
Mr. Arvind Kumar Sharma, Adv.  
Mr.Saurabh Mishra, Adv.

IA 2480,2481 Mr. Rakesh Tikku, Sr. Adv.  
Mr. Jogindr Sukhita, Adv.  
Ms. Ajay Jain, Adv.

CA 1531 in IA 22  
in WP 4677/85  
IA 2470, Mr. Vishnu B Saharya, Adv.

Mr. T.Anil Kumar, Adv.

Mr. D.S. Mahra, Adv.

M/s. Saharya & Co., Adv.

Mr. Goodwill Indeveer, Adv.

IA 2474-75 Mr. E.C.Agarwala, Adv.

IA 2476 Mr. Himanshu Shekher, Adv.

IA 2470 Mr. Praveen Sarup, Adv.

Mr. Vikas Mehta, Adv.

IA 2456-57 Mr. M.A.Chinnaswamy, Adv.

IA 2482 Mr. L.N. Rao, Sr.Adv.  
Mr. Senthil Jagadeesan, Adv.

IA in WP 4677/85 Mr. S. Wasim A Qadri, Adv.  
Mr. M.P.S. Tomar, Adv.  
Ms. Gunwant Dass, Adv.  
Mrs. Anil Katiyar, Adv.

IA 2489-90 Mr. Ravi P. Mehrottra, Adv.

6

Mr. Saurabh Mishra, Adv.

IA 2366 Mr. Ravi P.Mehrottra, Adv.  
Mr. Saurabh Mishra, Adv.

IA 2178-79 Mr. Ravi P. Mehrottra, Adv.  
Mr. Saurabh Mishra, Adv.

IA 2159-60 Mr. Ravi P. Mehrottra, Adv.  
Mr. Saurabh Mishra, Adv.

IA 1531 Mr. Viswajit Singh, Adv.  
Mr. K. Rajeev K. John & Co.  
Mr. Ashok Kr. Sharma, Adv.  
Ms. Bina Gupta, Adv.  
Mr. P.N. Puri, Adv.  
Mr. Surya Kant, Adv.

IA 1791 Mr. Vijay Panjwani, Adv.  
Mr. R.S. Puri, Adv.

IA 1846 Ms. Bina Gupta, Adv.

IA 1828-29 Mr. Debasis Misra, Adv.

IA 1839 Mr. K. Rajeev, Adv.

IA 1834 Mr. S.C.Paul, Adv.  
Mr. Ashok Kumar, Adv.  
Mt. Satwinder Kaur, Adv.  
Mr. Satyendra Kumar, Adv.

IA 1868-69 Ms. Kamalkshi S. Mehlwal, Adv.

IA 1861 Mr. Ashok Kr. Sharma, Adv.

IA 1862 Mr. Ashok Kr. Sharma, Adv.

IA 1863 Mr. Ashok Kr. Sharma, Adv.

IA 1183 Mr. M.K.D. Namoodiri, Adv.

IA 1216 Mr. Sudarsh Menon, Adv.

IA 1833 Mr. Surya Kant, Adv.

7

IA 1842 Mr. Ashutosh Kumar Sharma, Adv.  
Mr. Manoj Dwivedi, Adv.  
Mr. Kamalendra Mishra, Adv.  
Mr. G.V.Rao, Adv.

CPC 134 Mr. K. Rajeev, Adv.

IA 1905 Mr. G.K. Bansal, Adv.

CPC 82 Mr. G.K. Bansal, Adv.

IA 1909 Mr. Pramod Swarup, Adv.

IA 1910 Mr. Ashok Kr. Sharma, Adv.

CPC 64 Mr. Gulshan Bajwa (in person)  
IA 1899-1900 Mr. Ravi P. Mehrotra, Adv.  
CPC 130 Mr. P.N. Puri, Adv.  
CPC 117 petitioner-in-person  
CPC 9 Mr. Avijit Bhattacharjee, Adv.  
Ms. Sarbani Kar, Adv.  
Ms. Debjani Das Purkayastha, Adv.  
CPC 98 Ms. Sumita Hazarika, Adv.  
SLP(C) 7239/06 Mr. Suresh Chandra Tripathy, Adv.  
WC4677 Mr. Manjit Singh, Adv.  
Mr. Kamal Mohan Gupta, Adv.  
Mr. Chanchal Kumar Ganguli, Adv.  
Mr. K.S. Prasad, Adv.  
SLP 7239 Mr. Amit Z. Pasrich, Adv.  
Mr. Aditya Jain, Adv.  
Ms. Meera Mathur, Adv.

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

Mr. Ranjit Kumar, learned senior counsel undertakes to supply copy of Report No. 85 to the learned counsel for the Delhi Government, NDMC, DDA and the Municipal Corporation of Delhi.

8

Reply to this report be filed within three weeks.

I.A. Nos. 2447-2448:

A copy of Report No. 80 shall be given to the applicant and also to the learned counsel for MCD and DDA for filing their replies.

List along with the reply on 04.05.2011.

I.A. Nos. 2474-2475:

Heard learned counsel for the parties.

As per the undertaking given in Report No. 79, the applicant shall be allowed to do the needful by demolishing the objectionable structures etc.. For that purpose, the premises in question shall be de-sealed. This exercise shall be done within two weeks from today.

The Monitoring Committee shall inspect the premises and shall submit its report in this regard on the next date of hearing.

List the aforesaid IAs on 04.05.2011 at 2.00 P.M.

All the remaining I.As. shall be listed on 26th April, 2011 at 2.00 P.M.

[Shashi Sareen]  
Court Master

[Pardeep Kumar]  
Court Master

[Shashi Bala Vij]  
Court Master