

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. 2391 in IA NO. 2287
IN
WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

M.C.MEHTA Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

[for directions on behalf of Vijay Gupta]

I.A. Nos. 2447-2448 IN I.A. NO. 22 IN W.P. (C) NO. 4677/1985

[for impleadment and for seeking order directing the Monitoring
Committee not to seal the properties of the applicant)

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. 2194 IN IA NO. 22 IN WP(C) NO. 4677 /1985
[for impleadment and directions)
AND

I.A. Nos. 2316-17 in IA No. 22 in WP(C) No. 4677/1985
(For intervention and direction on behalf of Gurdeep Singh)
AND

I.A. No. 2470, in I.A. NO. 2187, 2204 in IA No. 22 in WP(C) No.
4677/1985
(for impleadment and directions on behalf of Vansh Properties)

AND
I.A. No. 2471, 2178, 2179 in I.A. 22 in WP(C) No. 4677/1985
[For stay and directions on behalf of Banarasi Chandiwala Sewa
Samarak Trust Society)

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

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(for intervention and directions on behalf of Sudhir Bardyar)

AND
I.A. No. 2442 in I.A. Nos. 2360-2361 in I.A. No. 22 in WP(C) No.
4677/1985
(For restoration on behalf of Jaimuddin & Anr.)

AND
I.A. Nos. 2437-2438 in WP(C) No. 4677/1985
(for impleadment and directions on behalf of Vinod Khurana)

SLP (C) NO. 4359 OF 2007

[WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT]

Date: 30/09/2010 These I.As. were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE G.S. SINGHVI

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

For Respondent(s) Mr. M.C. Mehta, Adv. (not present)

IA 2391 Mr. Mukul Rohtagi, Sr. Adv.
 Mr. Rajiv K. Garg, Av.
 Mr. Ashish Garg, Adv.
 Mr. Goodwill Indeever, Adv.

IA 2447-48
for applicant Mr. Mukul Rohtagi, Sr. Adv.
 Mr. R.K. Sanghi, Adv.
 Mr. Sanat Kumar, Adv.

IA 2447-2448
for DDA Mr. A. Sharan, Sr. Adv.
 Mr. Nikhil Goel, Adv.
 Mr. Marsook, Adv.

IA 2437-2438 Mr. Sanjay Parikh, Adv.
 Mr. Anish R. Shah, Adv.
 Ms. Mamta Saxena, Adv.
 Mr. Soumya Roy, Adv.

IA 2471 Mr. R.P. Bhatt, Sr. Adv.
 Ms. Anita Pandey, Adv.
 Mr. Vishnu Sharma, Adv.

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UOI Mr. Wasim Qadri, Adv.
 Ms. Gunwant Dara, Adv. for
 Ms. Anil Katiyar, Adv.

State of UP Mr. S.K. Dwivedi, Adv.
 Ms. Vandana Mishra, Adv.
 Mr. Manoj Dwivedi, Adv.
 Mr. G.V. Rao, Adv.
 Mr. Ashok Kr. Sharma, Adv.

Mr. R.C. Kaushik, Adv.

Mr. D.N. Goburdhan, Adv.
Ms. P. Bagchi, Adv.

Ms. Shiel Sethi, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Surya Kant, Adv.

Mr. Vishnu Saharya, Adv. for
M/s. Saharya & Co.

Mr. D.S. Mahra, Adv.

Mr. A. Venayagam Balan, Adv.

Mr. T. Anil Kumar, Adv.

Mr. E.C. Agarwala, Adv.

IA 2476 Mr. M.L. Lahoty, Adv.
Mr. P.K. Sharma, Adv.
Mr. Himanshu Shekhar, Adv.
Ms. Gargi Bhatta Bhurali, Adv.

IA 2194 Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.
Mr. P. Parmeswaran, Adv.
Ms. Anuj Chopra, Adv.

IA 2316-2317 Ms. Rachana Joshi Issar, Adv.
Ms. Nidhi Tewari, Adv.

Mr. Vikas Mehta, Adv.

Mr. R.K. Dhawan, Adv.
Mr. Rahul Gour, Adv.
Mr. M.A. Chinnaswamy, Adv.

Mr. P. Parmeswaran, Adv.

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Ms. Anita Shenoy, Adv.

IA 2474-2475 Mr. A. Sharan, Sr. Adv.
Mr. Ashwani Kumar, Adv.

Mr. A. Venayagam Balan, Adv.

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

I.A. No. 2391 IN IA NO. 2287 IN WP(C) NO. 4677/85:

1. We have gone through the report No. 80 of the Monitoring Committee.

2. After perusing the same and after considering the documents filed in I.A. No. 2391, we are of the opinion that the only relief that can be given to the applicant at this stage would be the permission to use the building for the residential purposes as indicated in the latest report of the Monitoring Committee. The applicant may use the basement and ground floor of the property in question for the retail shops, office use etc. However, the first floor and above shall be used exclusively for the residential purposes.

3. We direct the Delhi Development Authority to file a

supplementary affidavit within two weeks' from today with an advance copy of the same to the applicant showing the clear position as to whether the property in question falls in the local shopping centre or not.

I.A. No.2471 in I.A. NO. 2178, 2179 IN I.A. 22 IN WP(C) NO.

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4677 OF 1985:

We accept the recommendations of the Monitoring committee as also accepted by the applicant.

Ordered accordingly.

I.A. No. 2471 stands disposed of accordingly.

I.A. NOS. 2316-2317 IN IA 22 IN WP(C) NO. 4677/1985:

We have perused the report No. 79 of the Monitoring Committee.

These IAs stand disposed of in terms of aforesaid recommendations made in Report No.79.

IA NOS. 2437-2438 IN W.P. (C) NO. 4677 OF 1985

Issue notice.

Reply be filed within two weeks' from today.

I.A. No. 2470 IN IA NO. 2187, 2204 IN IA NO. 22 IN WP(C) NO. 4677 OF 1985:

As prayed, three weeks' further time is granted to the Monitoring Committee to file its report.

List all the aforesaid I.A.s on 21.10.2010 at 3 p.m.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Court Master