

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.No.1785 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 Ridge Management Board)AND I.A.No.1967 in I.A.NO.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For modification of court's order dt.06.05.2002)AND I.A.NO.2152 in 1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For clarification of order dt.03.08.07 on behalf of Raman Kr.Sethi & Anr.)AND I.A.Nos.1962&2143 in I.A.No.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention and direction on behalf of Israel & Ors.)AND I.A.No.2186 in I.A.NO.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For modification of order dt.6.5.2002 on behalf of Patra Mines & Minerals (P) Ltd.)AND I.A.No.2198 @ Conmt.Pet.No.125/2006 vide Court's order dt.25.10.2007 in
WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For direction on b/o.Devendra Badana)WITH I.A.No.2269 in I.A.NO.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For directions on b/o.of Administrator, Haryana Urban Development Authority,
Faridabad)AND I.A.NO.2270 in I.A.No.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For clarification of court's order dt.10.05.96, 11.10.96 & 06.05.02 on behalf of
Director, Town & Country Planning, Haryana)AND C.P.(C)no.186/2003 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(With appln.(s) for exemption from filing O.T.)and I.A.NO.1866 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For direction on be/o.of Mr.Som Prakash Sethi)WITH I.A.No.1858-1859 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For impleadment & Directions & permission to file appln. for impleadment on
b/o.Paryavaran Avam Van Vikas Morcha)

2

WITH I.A.NO.1886 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For directions (Arising out of Newspaper Clipping in Navbharat Times (Hindi)
dt.05.07.04 reg. The Mining Authority in Mehrauli Ridge Area)WITH I.A.NO.1888 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For direction reg. Implementation of court's order dt.10.05.96, 11.10.96 &
18.03.2004)with I.A.NO.1891 TO 1893 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For impleadment, direction and exemption from filing O.T. on b/o.Manoj Kumar)WITH I.A.NO.1895 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention/direction on b/o.Gurgaon Stone Crushers
c/o.Naurangpura, Crusher Union)

Association

WITH I.A.No.1896 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For directions (arising out of Photographs given in Court by A.C.)

WITH I.A.No.1906 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For directions on b/o.Bandhua Mukti Morcha)

WITH I.A.No.1907-1908 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For directions/clarification and for permission to file appln. for
directions/clarification)

WITH I.A.Nos.1911-1912 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention/directions on b/o.of Mr.Krishan Pal Gujjar)

WITH I.A.Nos.1937 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For directions on b/o.of Mr.P.K.Sethi)

WITH I.A.NO.2168 in I.A.NO.1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention/direction on b/o.Pali Mohatababd Store Crushers Assn.)

WITH I.A.NOS.2306-2307 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For impleadment and permission to construct Sr.Secondary School on b/o.
M/s.Progressive Charitable Trust)

WITH I.A.Nos.2308-2309 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For impleadment and directions on b/o.of Drishti India Ltd.)

WITH I.A.Nos.2310 in I.A.2269 in 1785 in WRIT PETITION (CIVIL) NO(s). 4677 OF
1985
(For intervention/clarification of court's order dt.14.05.2008 on b/o.of Kant Enclave
Residents Welfare Society)

WITH I.A.NO.1968 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention on b/o.Pali Mohatabad Crushers Owners Association)

WITH I.A.Nos.2334-2335 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
3

(For impleadment and directions on b/o.Sat Veer Singh & Ors.)

WITH I.A.No.2336 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention on b/o.Shakti Vahini)

WITH I.A.NO.D 58737 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For intervention on b/o.South Eastern Coalfields Ltd.)

AND I.A.Nos.2355-2357 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
(For impleadment and directions and exemption from filing O.T. on
b/o.M/s.R.D.Konsultants)

AND I.A.Nos.2374-2376 in I.A.1785 in W.P.(C)NO.4677/1985
(For impleadment and directions and exemption from filing O.T.)

WITH I.A.Nos.2377-2380 in I.A.1785 in W.P.(C)NO.4677/1985
(for permission, impleadment, seeking permission to file objections to the CEC
report, interim stay, exemption on behalf of R.Kant & Co.)

WITH AND I.A.Nos.2381, 2382, 2383, 2384 IN I.A.1785 in W.P.(C)NO.4677/1985
(for permission by impleadment, permission to file objections to the CEC report
dt.15.1.2009, direction and exemption from filing c/delay of CEC report on behalf of
Asha Upadhyay and ors.)

WITH AND I.A.Nos.2385 in I.A.1785 in W.P.(C)NO.4677/1985
(for modification of court's order dt.6.5.2002)

WITH AND I.A.Nos.2386-2387 in I.A.1785 in W.P.(C)NO.4677/1985
(For permission for impleadment, seeking permission to file objections to the CEC
report dt.15.1.09 on behalf of Lt.Col.B.B.Sharan(Retd.)

WITH AND I.A.No.2390 in I.A.1785 in W.P.(C)NO.4677/1985
(For clarification on behalf of Mr.Raman Sethi)

WITH W.P.(C)No.624/2002

WITH W.P.(C)No.661/2002(With appln.(s) for ex-parte stay and directions and exemption from filing O.T.)

WITH W.P.(C)NO.428/2002
(With appln.(s) for stay and directions and vacating stay and exemption from filing O.T. and intervention)

WITH CONMT.PET.(C)NO.568/2002 IN W.P.(C)No.428/2002

WITH CONMT.PET.(C)NO.542/2004 IN W.P.(C)NO.428/202

WITH

HARYANA MINING

4

I.A.Nos.828, 839, 840, 850, 853-854, 855-856, 866-868, 869-870, 871-872, 873-874, 875-876, 877-878, 879-880, 881-882, 891-892, 900, 905, 1276-1277, 1465, 1590, 1612-1613, 1700-1703, 2007-2008, 1488, 2138-2139 in 891-892, 2205 & 2417, 2426-2427, 2445 in W.P.(C)No.202/1995

(Monitoring report of C.E.C. reg. Illegal mining in Aravalli Hills and appln. for directions/impleadment/modification/clarification/ exemption from filing O.T./permission to file addl. documents/ additional submission/ additional facts and grounds)

Date: 27/03/2009 These applns. were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE S.H. KAPADIA

Mr.Ranjit Kumar, Sr.Adv.(A.C.)

Mr.Siddhartha Chowdhury, Adv.(A.C.)

Mr.A.D.N.Rao, Adv. (A.C.)

Mr.Kamal Gupta, Adv. (A.C.)

For Petitioner(s) Petitioner-In-Person(NP)

For Respondent(s)/
applicant(s)

Mr.Naresh Kaushik, Adv.
Mr.Rupesh Kaushik, Adv.
Mrs.Lalitha Kaushik, Adv.

Mr.Mohan Parasaran,ASG
Mr.S.W.A.Qadri, Adv.
Mr.M.P.S.TOmar, Adv.
Mr.S.N.Terdal,Adv.
Ms.Kiran Bhardwaj, Adv.
Mr. A. Deb Kumar, Adv.
Mr. Gunwant Dara, Adv.
For Smt.Anil Katiyar, Adv.

Mr.D.N.Goburdhan, Adv.
Ms.Geeta Luthra, Adv.

Mr.Vijay Panjwani, Adv.

I.A.No.1967

Mr.Anil B.Diwan, Sr.Adv.
Mr.Dhruv Mehta, Adv.
5

Mr.Yashraj Singh Deora, Adv.
Mr.Mohit Abraham, Adv.
for M/s.K.L.Mehta & Co., Advs.

I.A.No.2381

Mr. S.B.Upadhyay, Sr. Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Ankit Shah, Adv.
Ms. Anisha Upadhyay, Adv.

I.A.No.2385
&2186

Mr.S.K.Dubey, Adv.
Mr.K.V.Mohan, Adv.
Mr.K.V.Thakur, Adv.

I.A.NO.2198

Dr.Surat Singh, Adv.
Mr.Jagdev Singh, Adv.
Ms.Partikha Chopra, Adv.
Mr.Arun Kr.Beriwal, Adv.

Ms.Binu Tamta, Adv.

Mr.Bimal Roy Jad, Adv.

Mr. Vijay Kumar, Adv.
Mr. M.G. Diwan, Adv.
Mr.Vishwajit Singh, Adv.

I.A.No.2377-80

Mr.Piyush Sharma, Adv.
Mr.Dinesh C.Pandey, Adv.

I.A.Nos.2306-2307

Mr. K.K. Rai, Sr. Adv.
Mr.S.K.Pandey, Adv.
Mr. Bankey Bihari, Adv.
Mr.Krishnand Pandey, Adv.

Mr.Pawan Upadhyay, Adv.
Ms.Anisha Upadhyay, Adv.
Mr. Ankit Shah, Adv .
Ms.Sharmila Upadhyay, Adv.

I.A.Nos.873-874,1700
2445 in I.A.873&874

Mr.A.K.Srivastava, Sr.Adv.
Mr.Puneet Agrawal, Adv.
Mr.Satish Jaglan, Adv.
For Dr.Kailash Chand, Adv.

I.A.No.1612-13

Mr.M.N.Krishnamani, Sr.Adv.
Mr.S.L.Kumar, Adv.
Mr.B.V.K.Ahluwalia, Adv.

I.A.Nos.2334-2335

Mr.Rajiv Dutta, Sr.Adv.
Mr.Rakesh Dwivedi, Sr.Adv.

6

Ms.Vijay Lakshmi Menon,Adv.
Ms.Ekta Kapila, Adv.
Mr.Vijay Kaurdel, Adv.
Mr.Kuber Diwan, Adv.
Ms.preetika Dwivedi, Adv.
Mr.T.K.Pradhan, Adv.

I.A.Nos.2377-2380

I.A.No.D 58737

Mr.Ashwarya Sinha,Adv.
Mr.Amboj Kr.Sinha, Adv.

Mr.Praveen Gupta, Adv.
Ms.Chitralkha Sen, Adv.
For Dr.Kailash Chand, Adv.

Mr.Parag P.Tripathi, ASG
Mr.Manjeet Singh, Adv.
Ms.Arati Gupta, Adv.
For Mr. T.V. George, Adv.
Mr.A.D.N.Rao, Adv.

M/s.Lawyers Knit & Co., Advs.

Ms.Kavita Wadia, Adv.

Mr.Haris Beeran, Adv.

Mr.Ashish Dholakia, Adv.
Mr.Adarsh Priyadarshi, Adv.
Ms.Sumita Hazarika, Adv.

I.A.No.2355-2357 Mrs.Kiran Bhardwaj, Adv.
For Dr.Kailash Chand, Adv.

Ms.Hemantika Wahi, Adv.
Ms.Pinky, Adv.
Mr.Somnath Padhan, Adv.
Miss Mamta Tushar, Adv.

I.A.No.1465 Mr.K.K.Venugopal, Sr.Adv.
Mr. Shyam Mohan, Adv.
Mrs.Jayashree Wad, Adv.
Mr.Ashish Wad, Adv.
Mr.Satya Vikram, Adv.
Mr.Sameer Abhyankar, Adv.
For M/s.J.S.Wad & Co., Advs.

Mr.D.N.Ray, Adv.
Mr.Rajiv Mehta, Adv.

Mr.K.B.Rohtagi, Adv.

7

Ms.Aparna Rohatgi, Adv.
Mr.Mahesh Kasana, Adv.
Mr. Baldev atreya, Adv.

Mr.P.S.Patwalia, Sr.Adv.
Mr.Aman Preet Singh Rahi, Adv.
Mr.D.K.Tripathi, Adv.
Mr.Tushar Bakshi, Adv.
Dr.Surat Singh, Adv.
Mr.Jagdev Singh, Adv.
Mr.Ashok K.Mahajan, Adv.

I.A.NO.2310 Mr.Soli J.Sorabjee, Sr.Adv.
Mr.Sanjay R.Hegde, Adv.
Mr.Anil Mishra, Adv.
Mr.Rohan Singh, Adv.
Mr.R.Gopalakrishnan, Adv.

I.A.NO.2336 Mr. Sanjay Sen, Adv.
Mr. Sukumar, Adv.
Mr. Ravi Kant, Adv.
Mr. K. Johny Joseph, Adv.

IA 1785 Mrs. Sheil Sethi, Adv.

IA 1895 Mr. Bhupender Yadav, Adv.
Mr.S.S.Shamsherry, Adv.
Mr. R.C. Kohli, Adv.

IA 2390 Mr. Mukul Rohtagi, Sr. Adv.
Mr. Saket Sikri, Adv.
Mrs. Madhu Sikri, Adv.

IA 2385 Mr. K.V. Mohan, Adv.
Mr. S.K. Dubey, Adv.
Mr. K.B. Thakur, Adv.

Mr.Amit Kumar, Adv.

Mr.Shashi B.Upadhyay, Adv.

Mr.E.M.S.Anam, Adv.

Mr.Surya Kant, Adv.

Ms.Kavita Wadhwa, Adv.

Mr.B.V.Balram Das, Adv.

Mr.Pravir Chaudhary, Adv.

8

Ms. Shweta Garg, Adv.
Mr. Anil Kumar Jha, Adv.

I.A. Dy. 58737 Mr. Ashwarya Sinha, Adv.
Mr. Ambhoj Kumar sinha, Adv.

Mr. D.N. Ray, Adv.
Mrs. Sumita Ray, Adv.

UPON hearing counsel the Court made the following
ORDER

Mr. Ranjit Kumar, Senior Advocate and learned Amicus
Curiae commenced his arguments in rejoinder at 2.15 P.M.
and concluded the same.

Written submissions in mining matters may be filed
within ten days.

List construction matters, minor mineral matters next
week.

(B. Parvathi)
Sr. P.A.

(Madhu Saxena)
Court Master