

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA 2187 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)

And

I.A. Nos. 2329-2330

Date: 25/03/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr. Mukul Rohtagi, Sr. Adv.
Mr. Vikas Mehta, Adv.

For Respondent(s) Mr. Ranjit Kumar, Sr. Adv.

UPON hearing counsel the Court made the following
ORDER

List these I.As. on 26.03.2009.

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master

ITEM NO.1 Court No.3 SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.NO. 22 IN W.P.(C) NO. 4677/1985
M.C.MEHTA VS. UNION OF INDIA
(FOR DIRECTIONS)

WITH

I.A.NO.2331 IN W.P.(C) NO. 4677/1985
(FOR CHALLENGING THE NOTIFICATION DATED 16.6.2008 AND
12.8.2008 ON BEHALF OF DELHI PRADESH CITIZEN COUNCIL)

WITH

I.A.NO.2178-2179 IN W.P.(C) NO. 4677/1985
[FOR DIRECTIONS ON AND MODIFICATION OF COURT'S ORDER
DATED 28.7.2007]

I.A.NO.2364-2365 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR INTERVENTION AND DIRECTION ON BEHALF OF COL. (RETD.)
R.K. NAYAR-IN-PERSON)

I.A.NO.2332-2333 IN I.A.NO.22 IN W.P.(C) NO.4677/1985

(APPLN. FOR IMPLEADMENT/DIRECTIONS ON B/O KUBER NIVESH
KARYA KALYAN SAMITI)

I.A.NO.2366 IN I.A. 2191 IN W.P.(C) NO.4677/1985
(FOR DIRECTION ON BEHALF OF UTPALA MUKHERJEE & ORS.)

WITH

I.A.NOS.2362-2363 IN I.A. 22 IN @ W.P.(C) NO.258/08
[VIDE COURT'S ORDER DATED 21.10.2008
(FOR DIRECTIONS EXEMPTION FROM FILING O/T ON BEHALF OF JAI
PAL SINGH & ORS.)

WITH

I.A.NOS. 2350-2351 IN W.P.(C) NO. 4677/1985
(FOR IMPLEADMENT AND DIRECTION ON BEHALF OF WILD LIFE
PROTECTION SOCIETY)

WITH

I.A.NOS. 2353-2354 IN W.P.(C) NO. 4677/1985
(FOR IMPLEADMENT AND DIRECTION ON BEHALF OF ABHIJEET
CHATTERJEE & ORS)

I.A.NO.2352 IN I.A.NO.2272-2273 IN W.P.(C) NO. 4677/1985
(FOR PERMISSION TO FILE ADDL. DOCUMENTS ON BEHALF OF
NIRULA HANDICRAFT)

I.A.NO.2208-2209 IN W.P.(C) NO.4677/1985
(FOR DIRECTIONS AND IMPLEADMENT ON BEHALF OF SUNRIDGE INDIA HERITAGE
PVT. LTD.)

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I.A.NO.2372-2373 IN W.P.(C) NO.4677/1985
(FOR PERMISSION TO FILE APPLN. FOR DE-SEALING AND
DIRECTIONS ON BEHALF OF SMT. BENU DUA)

I.A.NO.2388-2389 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF M/S JAIN
MARBLES)

WITH

I.A.NO.2391&2286&87 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR DIRECTION/INTERVENTION ON BEHALF OF MR. VIJAY GUPTA)

I.A.NO.2185&2369 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR DIRECTIONS ON BEHALF OF RAJ VIDYA KENDRA)

I.A.NO.2231-2232 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR IMPLEADMENT AND DIRECTIONS ON BEHALF OF AHUJA
COLOUR SHOP)

I.A.NO.2370-2371 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR IMPLEADMENT AND DIRECTIONS OF BEHALF OF SUMAN LATA
JAIN)

I.A.NO.2259 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR DIRECTIONS ON BEHALF OF ALL INDIA DIGAMBER JAIN SOCIETY)

I.A.NO.2394-2395 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR DIRECTIONS ON BEHALF OF GAURA DEVI)

Date: 25/03/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA
HON'BLE MR. JUSTICE P. SATHASIVAM

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

For Petitioner(s) Mr. Atul Nanda, Adv.
Mr. Rameeza Hakeem. Adv.
M/s. Law Associates & Co.

Mr. S.C. Paul, Adv.
Mr. Roopa Paul, Adv.
Ms. Reema Chopra, Adv.

Mr. Resham Singh, Adv.

Mr. Rohan Thawani, Adv.
Ms. Vandana Sehgal, Adv.
Mr. Hardeep Singh Anand, Adv.

Mr. R.P. Bhatt, Sr. Adv.
Mr. Amit Pandey, adv.
Mr. Vishnu Sharma, Adv.

-3-

Mr. A.K. Ganguli, Sr. Adv.
Mr. Harshvardhan Jha, Adv.
Mr. M.P. Jha, Adv.
Mr. Ram Ekbal Roy, Adv.

Mr. G. Umapathy, Adv.
Mr. Vibu Tiwari, Adv.
Mr. Rakesh Tiwari, Adv.

Mr. Soumyajit Pani, Adv.
Mr. Ansar Ahmad Choudhary, Adv.

Mr. Joydeep Mazumdar, Adv.
Mr. Pinaki Addy, Adv.
Mr. Abhishek Sarkar, Adv.

Md. Mobin Akhtar, Adv.
Mr. Arun K. Beriwal, Adv.

Mr. Jasbir Singh Malik, Adv.
Mr. S.C. Varma, Adv.
Ms. Praveen Lata, Adv.
Mr. R.K. Tripathi, Adv.

Mr. S.K. Sabharwal, Adv.

Mr. Gouri Karuna Das, Adv.
Mr. Bhakti Parrija, Adv.;
Mr. Sanjay M. Tirpathi, Adv.

Mr. S. Sukumaran, Adv.
Mr. Anand Sukumai, Adv.
Mr. K. Rajeev, Adv.
Mrs. Meena Mathur, Adv.

Mr. V.C. Mahajan, Sr. Adv.
Mr. P.N. Puri, Adv.
Mr. Naresh Khanna, Adv.

Mr. Dhiraj, Adv.
Mrs. Reeta Dewan Puri, Adv.

Mr. R.S. Suri, Adv.
Mr. K.S. Prasad, Adv.

For Respondent(s) Mr. Mohan Parasaran, ASG,
Mr. Parag P. Tripathi, ASG,
Mr. Tufail A. Khan, Adv.

Mr. Devadatt Kamat, Adv.
Mrs. Sushma Suri, Adv.
Mr. Varun Sarin, Adv.
MS. Aarti Gupta, Adv.

-4-

Mr. Mukul Rohtagi, Sr. Adv.
MS. Ruby Singh Ahuja, Adv.
Mr. Manu Aggarwal, Adv.
Ms. Manik Karanjawala, Adv.

Mr. Mukul Rohtagi, Sr. Adv.
Mr. Dhruv Mehta, Adv.
Mr. Rana Mukherjee, Adv.
Mr. R.P. Singh, Adv.
Ms. Abha R. Sharma, Adv.

Mr. Mukul Rohtagi, Sr. Adv.
Mr. Rajiv K. Garg, Adv.
Mr. Goodwill Indeevar, Adv.

Mr. Mukul Rohtagi, Sr. Adv.
Mr. Ajay Sharm, Adv.

Mr. M.N. Krishnamani, Sr. Adv.
Mr. Soumrajit Pani, Adv.
Mr. Sunil K. Jain, Adv.

Mr. Anurag Kishore, Adv.
Ms. Kamakshi S. Mehwal, Adv.

Mr. N.S. Dalal, Adv.

Mr. Anil Grover, Adv.
Mr. Manish Kuamr, Adv.

Mr. Joydeep Mazumdar, Adv.
Mr. Vijay Kumar, Adv.
Mr. Pankaj Kumar, Adv.
Mr. Viswajit Singh, Adv.

Mr. Sheel Sethi, Adv.

Mr. S. Wasim A. Qadri, Adv.
Mr. M.P.S. Tomar, Adv.
Ms. Kiran Bhardwaj, Adv.
Mr. Anil Katiyar, Adv.

Mr. Rakesh Kumar Khanna, Sr. Adv.
Dr. Rashmi Khanna, Adv.
Mr. Surya Kant, Adv.
Mr. Pranav Vyas, Adv.
Ms. Shailja Sinha, Adv.

-5-

Mr. Rakesh Kumar Khanna, Sr. Adv.
Dr. Rashmi Khanna, Adv.
Mr. Surya Kant, Adv.

Mr. Pranav Vyas, Adv.
Mrs. Shailja Sinha, Adv.

Mr. Ravi Shanker Prasad, Sr. Adv.
Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.

Mr. Vijay Panjwani, Adv.

Mr. S. Wasim A. Qadri, Adv.
Mr. Kiran Bhardwaj, Adv.
Mr. M.P.S. Tomar, Adv.

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

Mr. Vishnu B. Saharya, Adv.

Mr. Ankur Saigal, Adv.
Ms. Bina Gupta, Adv.
Ms. Anisha Ranjan, Adv.
Mr. Gaurav Singh, Adv.

UPON hearing counsel the Court made the following
ORDER

I.A. Nos. 22, 2331, 2364-2365:

List these I.As. after eight weeks.

I.A. Nos. 2178-2179:

It is stated that the response by Chandiwala Estate has been filed a few days back. The Monitoring Committee shall examine the reply and indicate its views within a period of four weeks.

Call after four weeks.

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I.A. Nos. 2332-2333:

It appears from the response of MCD that the property in question does not belong to Kuber Plantation and belongs to somebody else. Learned counsel for the applicant wants to take instructions and file further affidavit, if any.

Call after four weeks.

I.A. No. 2366 in I.A. No. 2191:

Let a copy of the Report No. 67 of the Monitoring Committee be supplied to the applicant Kiran Jyoti Complex. The copy shall be supplied in respect of only Para II of the report relating to Kiran Jyoti Complex. If the applicant wants to file any affidavit in respect of the report of the Monitoring Committee, let the same be done within three weeks.

Call thereafter .

I.A. Nos. 2362-2363:

Let DDA file its reply within four weeks. Two weeks' further time is granted for filing response to the reply, if any. Call thereafter.

I.A. Nos. 2350-2351:

Call after eight weeks.

I.A. Nos. 2353-2354:

Let an affidavit by NDMC be filed within two weeks. Call thereafter.

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I.A. No. 2352 in I.A. No. 2272-2273:

Let NDMC to file its response within two weeks. Call thereafter.

I.A. Nos. 2208-2209:

Let a copy of the report submitted by the Chief Vigilance Officer of MCD be supplied to learned counsel for the applicant. Affidavit in respect of the same, if any, be filed within three weeks. After the copy is supplied, the report be kept in a sealed cover.

I.A. Nos. 2372-2373:

Let a copy of the report of the Monitoring Committee (Report No. 67) be supplied to the applicant so far as it relates to the applicant. An affidavit in respect of the report, if any, by the applicant shall be filed within three weeks.

Call thereafter.

I.A. Nos. 2388-2389:

The applicant is granted three weeks' time to file its affidavit in respect of the report submitted by the MCD. Call thereafter.

I.A. Nos. 2391, 2286 & 87:

A copy of the report of the Monitoring Committee (Report No. 65 Para 5) be supplied to the applicant. Response, if any, be filed within three weeks. If the MCD wants to file any affidavit, let that be done within a period of three weeks. Call thereafter.

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I.A. No. 2185 & 2369:

Let an affidavit be filed by the applicant indicating the person/persons from whom the institution claims to have purchased

the property and the nature of title of the vendor(s). The affidavit shall be filed within two weeks.

Call thereafter.

I.A.Nos. 2231-2232:

The order dated 11.12.2007 passed in I.A. Nos. 2232-2232 in I.A. No. 22 shall operate only in respect of shop No. 4 in E.15 Kailash Colony, New Delhi to which the present applicant relates. I.A. Nos. 2231-2232 stand disposed of. The permission granted shall be subject to the challenge to the changed parameters as spelt out in the Notification of 12th August, 2008.

I.A. No. 2370-2371:

Let response of MCD be filed within three weeks.

I.A. No. 2259 in I.A. No. 22:

Two weeks' time is granted for filing affidavit.
Call thereafter.

I.A. No. 2394-2395:

Issue notice.

Let the Monitoring Committee and the MCD file their response within three weeks.

Call thereafter.

(Shashi Sareen)

Court Master

ITEM NO.2

Court No.3

SECTION PIL

(Shashi Bala Vij)

Court Master

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.NO. 1531 IN I.A.NO. 22 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON BEHALF OF NARAINA
INDUSTRIAL AREA, CETP SOCIETY THROUGH ITS PRESIDENT
WITH OFFICE REPORT)
(RE: CETP MATTERS)

WITH
I.A.NO. 1791 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON BEHALF OF NARAINA
INDUSTRIAL AREA CETP SOCIETY)

WITH
I.A.No.1846 In W.P.(C)No.4677/1985
(FOR DIRECTIONS ON BEHALF OF OKHLA INDUSTRIAL ESTATE
C.E.T.P.)

WITH
I.A.No. 1828 & 1829 In I.A.No.1531 In I.A.No.22 in WP(C) No.
4677/85
(FOR DIRECTIONS AND IMPLEADMENT ON BEHALF OF
PRESIDENT KALYAN BRASTACHAR VIRODHI SANGARSH
SAMITI)

I.A.No. 1830 In I.A.No.1531 In I.A.No.22 in WP(C) No. 4677/85
(FOR EXEMPTION FROM DEPOSITING THE COST OF C.E.T.P.)

ON BEHALF OF M/S. PURE DRINKS LTD.)

I.A.No.1834 In I.A.No.1531 In I.A.No.22 in WP(C) No. 4677/85
(FOR IMPEADING M/S. ANAND PARBAT INDUSTRIAL
AREA, C.E.T.P. SOCIETY)

I.A.NO. 1868-1869 IN I.A.NO.1531 IN W.P.(C)NO. 4677/1985
(FOR DIRECTIONS AND IMPEADMENT ON BEHALF OF
BRITANNIA INDUSTRIES LTD.)

I.A.NO. 1861 IN I.A. NO. 1531 IN I.A.NO. 22 in WP(C) No.
4677/85
(FOR DIRECTIONS ON BEHALF OF ANAND PARBAD
EFFLUENT TREATMENT LTD.)

I.A.NO. 1862 IN I.A. NO. 1531 in WP(C) No. 4677/85
(FOR DIRECTIONS ON BEHALF OF ANAND PARBAD
EFFLUENT TREATMENT LTD.)

I.A.NO. 1863 IN I.A. NO. 1531 IN I.A.NO. 22 IN W.P.(C) NO.
4677/1985
FOR DIRECTIONS ON BEHALF OF MAYA PURI
INDUSTRIAL C.E.T.P. SOCIETY)

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I.A.NO. 1183 IN I.A.NO. 22 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON BEHALF OF CONFEDERATION OF DELHI
INDUSTRIAL C.E.T.P. SOCIETY)

I.A.NO. 1216 IN I.A.NO. 22 IN W.P.(C) NO. 4677/1985
[FOR CLARIFICATION OF COURT'S ORDER DATED
16.03.1998 ON BEHALF OF BANK OF INDIA]

I.A.NO. 1833 IN I.A.NO.1531 IN W.P(C)NO. 4677/1985
FOR DIRECTIONS ON BEHALF OF NARAINA
INDUSTRIAL AREA CETP SOCIETY)

I.A.NO. 1842 IN I.A.NO.1531
FOR PERMISSION TO THE RESPONDENT NO. 8 G.T.
KARNAL ROAD INDUSTRIAL SOCIETY FOR
BRINGING NEW MATERIAL/ADDL. FACTS ON RECORD)

WITH
CONMT.PET.(Civil)No.134/2003 In W.P(C)No.4677/1985

I.A. NO. 1879 In I.A. NO. 1531 In I.A. NO. 22 In W.P.
(C)No.4677/1985
(FOR DIRECTIONS ON BEHALF OF GOVT. OF N.C.T. OF DELHI)

WITH

I.A.No.1905 In W.P.(C)No.4677/1985
(FOR DIRECTIONS)
(ON BEHALF OF OKHLA INDUSTRIAL ESTATE C.E.T.P.)

WITH
CONMT.PET.(Civil)No.82/2008 In I.A.NO.1905 In
W.P(C)No.4677/1985

WITH
I.A.No.1909 In W.P.(C)No.4677/1985
FOR DIRECTIONS ON BEHALF OF G.T. KARNAL
ROAD CETP SOCIETY)

WITH

I.A.No.1910 In W.P.(C)No.4677/1985 MR.
(FOR DIRECTIONS)

CONMT.PET.(Civil)No.64/2007 In W.P(C)No.4677/1985
Date: 25/03/2009 This Petition was called on for hearing today.

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CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA
HON'BLE MR. JUSTICE P. SATHASIVAM

Mr.Ranjit Kumar, Sr. Adv.

For Petitioner(s)

Mr. Atul Nanda, Adv.
M/s. Law Associates & Co.

Mr. S.C. Paul, Adv.
Mr. Roopa Paul, Adv.
Ms. Reema Chopra, Adv.
Mr. Resham Singh, Adv.

Mr. Rohan Thawani, Adv.
Ms. Vandana Sehgal, Adv.
Mr. Hardeep Singh Anand, Adv.

Mr. Vishnu Sharma, Adv.

Mr. P.H.PArehk, Sr. Adv.
Mr. Harshwardhan Jha, Adv.
Mr. M.P. Jha, Adv.
Mr. Ram Ekbal Roy, Adv.

Mr. G. Umapathy, Adv.
Mr. Vibhu Tiwari, adv.

Mr. Ansar Ahmad Choudhary, Adv.

Mr. Joydeep Mazumdar, Adv.
Mr. Pinaki Addy, Adv.
Mr. Abhishek Sarkar, Adv.

Mr. Arun K. Beriwal, Adv.

Mr. S.C. Varma, Adv.

Mr. S.K.Sabharwal, Adv.

Mr. Sanjay M. Tirpathi, Adv.
Mr. S. Sukumaran, Adv.
Mr. Anand Sukumai, Adv.
Mr. K. Rajeev, Adv.
Mrs. Meena Mathur, Adv.

Mr. P.N. Puri, Adv.

Mr. R.S. Suri, Adv.
Mr. K.S. Prasad, Adv.

For Respondent(s)

Mr. Parag P.Tripathi, ASG,
Nr. N.Rai, Sr. Adv.
MS. Asha G.Nair, Adv.
MS. Asha G.Nair, Adv.
Ms. Anil Katiyar, Adv.
MS.Sadana Sandhu, Adv.

Mr. Sheel Sethi, Adv.

Mr. S. Wasim A. Qadri, Adv.
Mr. M.P.S. Tomar, Adv.
Ms. Kiran Bhardwaj, Adv.
Mr. Anil Katiyar, Adv.

Mr. Rakesh Kumar Khanna, Sr. Adv.
Dr. Rashmi Khanna, Adv.
Mr. Surya Kant, Adv.
Mr. Pranav Vyas, Adv.
Ms. Shailja Sinha, Adv.
Mr. Amrit Singh, adv.

Mr. Ravi Shankar Prasad, Sr. Adv.
Mr. Sanjiv Sen, adv.
Mr. Praveen Swarup, Adv.

Mr. Vijay Panjwani, Adv.

Mr. S. Wasim A. Qadri, Adv.
Mr. Kiran Bhardwaj, Adv.
Mr. M.P.S. Tomar, Adv.
Mr. Gunwant Dora, adv.
MS. Anil Katiyar, Adv.

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

Mr. Vishnu B. Saharya, Adv.

Mr. Ankur Saigal, Adv.
Ms. Bina Gupta, Adv.
Ms. Anisha Ranjan, Adv.
Mr. Gaurav Singh, Adv.

UPON hearing counsel the Court made the following
ORDER

List theses I.A.s after three months.

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master