

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

IA 2187 in I.A. No. 22 in W R I T P E T I T I O N (CIV I L) NO(s). 4677 OF 1985

M.C. M E H T A Petitioner(s)

V E R S U S

UNION OF I N D I A & O R S. Respondent(s)

And

I.A. Nos. 2329- 2330

Date: 25/03 / 2 009 This Petition was called on for hearing today.

COR A M :

HON' B L E Dr. JUST I C E A R I J I T P A S A Y A T
HON' B L E M R. JUST I C E L O K E S H W A R S I N G H P A N T A
HON' B L E M R. JUST I C E P. S A T H A S I V A M

For Petitioner(s) Mr. Mu k ul Rohtagi, Sr. Adv.
Mr. Vikas Mehta, Adv.

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

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

List these I.As. on 26.03.2009.

(Shashi Sareen) (Shashi Bala Vij)
Court Master Court Master

I T E M N O . 1 Court No.3 SECT I O N P I L

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. 22 IN W.P.(C) NO. 4677/ 1985
(FOR D I R E C T I O N S)

WITH
I.A.NO.2331 IN W.P.(C) NO. 4677 /1985
(FOR CHA L L E N G I N G T H E N O T I F I C A T I O N D A T E D 16.6.2008 A N D
12.8.2008 O N B E H A L F O F D E L H I P R A D E S H C I T I Z E N C O U N C I L)

WITH
I.A.NO.2178- 2179 IN W.P.(C) NO. 4677/ 1985
[FOR D I R E C T I O N S O N A N D M O D I F I C A T I O N O F C O U R T ' S O R D E R
D A T E D 28.7.2007]

I.A.NO.2364- 2365 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR I N T E R V E N T I O N A N D D I R E C T I O N O N B E H A L F O F C O L . (R E T D .)
R. K. N A Y A R - I N - P E R S O N)

I.A.NO.2332- 2333 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(A P P L N . F O R I M P L E A D M E N T / D I R E C T I O N S O N B / O K U B E R N I V E S H

K A R Y A K A L Y A N S A M I T I)

I.A.NO.2366 IN I.A. 2191 IN W.P.(C) NO.4677 / 1985
(FOR D I R E C T I O N ON B E H A L F OF U T P A L A M U K H E R J E E & O R S.)

WITH
I.A.NOS.2362- 2363 IN I.A. 22 IN @ W.P.(C) NO.258 / 08
[V I D E C O U R T ' S O R D E R D A T E D 21.10.2008
(FOR D I R E C T I O N S E X E M P T I O N F R O M F I L I N G O / T O N B E H A L F OF J A I
P A L S I N G H & O R S.)

WITH
I.A.NOS. 2350- 2351 IN W.P.(C) NO. 4677/ 1985
(FOR I M P L E A D M E N T A N D D I R E C T I O N ON B E H A L F OF W I L D L I F E
P R O T E C T I O N S O C I E T Y)

WITH
I.A.NOS. 2353- 2354 IN W.P.(C) NO. 4677/ 1985
(FOR M P L E A D M E N T A N D D I R E C T I O N ON B E H A L F OF A B H I J E E T
C H A T T E R J E E & O R S)

I.A.NO.2352 IN I.A.NO.2272- 2273 IN W.P.(C) NO. 4677 /1985
(FOR P E R M I S S I O N TO F I L E A D D L . D O C U M E N T S ON B E H A L F OF
N I R U L A H A N D I C R A F T)

I.A.NO.2208- 2209 IN W.P.(C) NO.4677 / 1985
(FOR D I R E C T I O N S AND I M P L E A D M E N T ON B E H A L F OF S U N R I D G E I N D I A H E R I T A G E
P V T . L T D .)

-2-

I.A.NO.2372- 2373 IN W.P.(C) NO.4677 / 1985
(FOR P E R M I S S I O N TO F I L E A P P L N . FOR D E - S E A L I N G A N D
D I R E C T I O N S ON B E H A L F OF S M T . B E N U D U A)

I.A.NO.2388- 2389 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR I M P L E A D M E N T A N D D I R E C T I O N S ON B E H A L F OF M / S J A I N
M A R B L E S)

WITH
I.A.NO.2391&2286 &87 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR D I R E C T I O N / I N T E R V E N T I O N ON B E H A L F OF M R . V I J A Y G U P T A)

I.A.NO.2185&2369 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR D I R E C T I O N S ON B E H A L F OF R A J V I D Y A K E N D R A)

I.A.NO.2231- 2232 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR I M P L E A D M E N T A N D D I R E C T I O N S ON B E H A L F OF A H U J A
C O L O U R S H O P)

I.A.NO.2370- 2371 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR I M P L E A D M E N T A N D D I R E C T I O N S OF B E H A L F OF S U M A N L A T A
J A I N)

I.A.NO.2259 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR D I R E C T I O N S ON B E H A L F OF A L L I N D I A D I G A M B E R J A I N S O C I E T Y)

I.A.NO.2394- 2395 IN I.A.NO.22 IN W.P.(C) NO.4677 / 1985
(FOR D I R E C T I O N S ON B E H A L F OF G A U R A D E V I)

Date: 25/03 / 2 009 This Petition was called on for hearing today.

C O R A M :

HON' B L E Dr. J U S T I C E A R I J I T P A S A Y A T
HON' B L E M R. J U S T I C E L O K E S H W A R S I N G H P A N T A
HON' B L E M R. J U S T I C E P. S A T H A S I V A M

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. Ra kesh 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. Mu k ul Rohtagi, Sr. Adv.
MS. Ruby Singh Ahuja, Adv.
Mr. Manu Aggarwal, Adv.
Ms. Mani k Karanjawala, Adv.

Mr. Mu k ul Rohtagi, Sr. Adv.
Mr. Dhruv Mehta, Adv.
Mr. Rana Mu kherjee, Adv.
Mr. R.P.Singh, Adv.
Ms. Abha R. Sharma, Adv.

Mr. Mu k ul Rohtagi, Sr. Adv.
Mr. Rajiv K. Garg, Adv.
Mr. Goodwill Indeevar, Adv.

Mr. Mu k ul Rohtagi, Sr. Adv.
Mr. Ajay Sharm, Adv.

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

Mr. Anurag Kishore, Adv.
Ms. Kama kshi 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. Ra kesh Kumar Khanna, Sr. Adv.
Dr. Rashmi Khanna, Adv.
Mr. Surya Kant, Adv.
Mr. Pranav Vyas, Adv.
Ms. Shailja Sinha, Adv.

-5-

Mr. Ra kesh 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,Ad

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

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.

-6-

I.A. Nos. 2332- 2333:

It appears from the response of MC D 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 I I 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 D D A 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 ND M C be filed within two weeks. Call thereafter.

-7-

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

Let ND M C to file its response within two weeks. Call thereafter.

I.A. Nos. 2208- 2209:

Let a copy of the report submitted by the Chief Vigilence Officer of MC D 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 MC D.

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 MC D wants to file any affidavit, let that be done within a period of three weeks.

Call thereafter.

-8-

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 12 th August, 2008.

I.A. No. 2370- 2372:

Let response of MC D 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 MC D filed their response within three weeks.

Call thereafter.

(Shashi Sareen)

Court Master

IT E M NO.2

Court No.3

(Shashi Bala Vij)

Court Master

SECT I O N P I L

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. 1531 IN I.A.NO. 22 IN W.P.(C) NO. 4677/ 1985
(FOR DIRECT IONS ON BEH A LF OF NA R A I N A
IN D U S T R I A L A R E A, CET P S O C I E T Y T H R O U G H I T S P R E S I D E N T
W I T H O F F I C E R E P O R T)
(RE: CET P M A T T E R S)

WITH

I.A.NO. 1791 IN W.P.(C) NO. 4677 /1985
(FOR DIRECT IONS ON BEH A LF OF NA R A I N A
IN D U S T R I A L A R E A CET P S O C I E T Y)

WITH

I.A.No.1846 In W.P.(C)No.4677 / 1985
(FOR D I R E C T I O N S O N B E H A L F O F O K H L A I N D U S T R I A L E S T A T E
C.E.T.P.)

WITH

I.A.No. 1828 & 1829 In I.A.No.1531 In I.A.No.22 in W P(C) No.
4677/ 85
(FOR D I R E C T I O N S A N D I M P L E A D M E N T O N B E H A L F O F
P R E S I D E N T K A L Y A N B R A S T A C H A R V I R O D H I S A N G A R S H
S A M I T I)

I.A.No. 1830 In I.A.No.1531 In I.A.No.22 in W P(C) No. 4677/ 85
(FOR EX E M P T I O N F R O M D E P O S I T I N G T H E C O S T O F C.E.T.P.
O N B E H A L F O F M / S. P U R E D R I N K S L T D.)

I.A.No.1834 In I.A.No.1531 In I.A.No.22 in W P(C) No. 4677 /85
(FOR I M P L E A D I N G M / S. ANAN D PA R B A T I N D U S T R I A L
A R E A, C.E.T.P. S O C I E T Y)

I.A.NO. 1868- 1869 IN I.A.NO.1531 IN W.P.(C)NO. 4677/ 1985
(FOR D I R E C T I O N S AND I M P L E A D M E N T O N B E H A L F O F
B R I T A N N I A I N D U S T R I E S L T D.)

I.A.NO. 1861 IN I.A. NO. 1531 IN I.A.NO. 22 in W P(C) No.
4677/ 85
(FOR D I R E C T I O N S O N B E H A L F O F ANAN D PA R B A D
E F F L U E N T T R E A T M E N T L T D.)

I.A.NO. 1862 IN I.A. NO. 1531 in W P(C) No. 4677/ 85
(FOR D I R E C T I O N S O N B E H A L F O F ANAN D PA R B A D
E F F L U E N T T R E A T M E N T L T D.)

I.A.NO. 1863 IN I.A. NO. 1531 IN I.A.NO. 22 IN W.P.(C) NO.
4677/ 1985
FOR D I R E C T I O N S O N B E H A L F O F M A Y A P U R I
I N D U S T R I A L C.E.T.P. S O C I E T Y)

-2-

I.A.NO. 1183 IN I.A.NO. 22 IN W.P.(C) NO. 4677/ 1985
(FOR D I R E C T I O N S O N B E H A L F O F C O N F E D E R A T I O N O F D E L H I
I N D U S T R I E A L C.E.T.P. S O C I E T Y)

I.A.NO. 1216 IN I.A.NO. 22 IN W.P.(C) NO. 4677/ 1985
[FOR CL A R I F I C A T I O N O F C O U R T ' S O R D E R D A T E D
16.03.1998 O N B E H A L F O F B A N K O F I N D I A]

I.A.NO. 1833 IN I.A.NO.1531 IN W.P(C)NO. 4677/ 1985
FOR D I R E C T I O N S O N B E H A L F O F
I N D U S T R I A L A R E A C E T P S O C I E T Y) N A R A I N A

I.A.NO. 1842 IN I.A.NO.1531
FOR P E R M I S S I O N T O T H E R E S P O N D E N T N O. 8 G.T.
K A R N A L R O A D I N D U S T R I A L S O C I E T Y F O R
B R I N G I N G N E W M A T E R I A L / A D D L . F A C T S O N R E C O R D)

WITH
C O N M T. P E T.(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 D I R E C T I O N S O N B E H A L F O F G O V T. O F N.C.T. O F D E L H I)

WITH
I.A.No.1905 In W.P.(C)No.4677 / 1985
(FOR D I R E C T I O N S)
(O N B E H A L F O F O K H L A I N D U S T R I A L E S T A T E C.E.T.P.)

WITH
C O N M T. P E T.(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 D I R E C T I O N S O N B E H A L F O F G.T. K A R N A L R O A D

CET P SOCI E T Y)

WITH

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

M R.

(FOR D I R E C T I O N S)

ON B E H A L F OF M / S. W A Z I R P U R

I N D U S T R I E S

P O L L U T I O N

C O N T R O L C O)

C O N M T. P E T.(Civil)No.64/ 2007 In W.P(C)No.4677 / 1985

Date: 25/03 / 2 009 This Petition was called on for hearing today.

-3-

C O R A M :

HON' B L E Dr. J U S T I C E A R I J I T P A S A Y A T

HON' B L E M R. J U S T I C E L O K E S H W A R S I N G H P A N T A

HON' B L E M R. J U S T I C E P. S A T H A S I V A M

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.P A rekh, 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.

-4-

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. Ra kesh 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

O R D E R

List theses I.A.s after three months.

(Shashi Sareen)
Court Master

(Shashi Bala Vij)
Court Master