

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A. No.2295-2296 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)

(For impleadment/permission to set up not mix plant and
exemption from filing OT)

With
I.A.Nos.2162-2163 in W.P.(C)No.4677/1985, I.A.Nos.2263-
2164A in W.P.(C)No.4677/1985,
I.A.Nos.2311-2312 in W.P.(C)No.4677/1985,
I.A.Nos.2313-2314 in W.P.(C)No.4677/1985
I.A.Nos.2297-2298 in I.A.no.22 in W.P.(C)No.4677/1985
(for impleadment/direction) and
I.A.No.2259 in I.A.no.22 in I.A.No.2026 in W.P.(C)No.4677/1985
(for direction)

Date: 21/07/2008 These petitions were called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE Mr. JUSTICE LOKESHWAR SINGH PANTA

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

For Applicant Mr. Dhruv Mehta, Adv.
in IA 2295-96 Mr. Yashraj Singh Deora, Adv.
Mr. Harshvardhan, Adv.
M/s. K.L. Mehta & Co.

in IA 2263-64 Dr. Rajiv Dhawan, Sr.Adv.
2311-2312 Mr. Uday U. Lalit, Sr.Adv.
Mr. Joseph Pookkatt, Adv.
Mr. Anurag Sharma, Adv.
Mr. Prashant Kumar, Adv.
for M/s. A.P. & J. Chambers

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in IA 2259 Mr. Mukul Rohtagi, Sr.Adv.
Mr. Ajay Sharma, Adv.

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in IA 2313 & 2314 Mr. Uday U. Lalit, Sr.Adv.
Ms. Pragya Singh Baghel, Adv.
Mr. Animesh Sinha, Adv.
Mr. Manik Karanjawala, Adv.

For Petitioner(s) In person (N.P.)

For Respondent(s) Mr. Ashok Bhan, Adv.
for Delhi Police Ms. Kiran Bhardwaj, Adv.
& Ministry of Mr. W.A. Qadri, Adv.
of Environment Mr. M.P.S. Tomar, Adv.
Mr. D.S. Mahra, Adv.

Mr. B.K. Prasad, Adv.

Mr. Ashok Bhan, Adv.
Mr. M.P.S. Tomar, Adv.
Mr. D.S. Mahra, Adv.

Mr. P.P. Malhotra, A.S.G.
Mr. S. Wasim A. Qadri, Adv.
Mr. D.S. Mahra, Adv.

Mr. V.K. Verma, Adv.
Ms. Anil Katiyar, Adv.

for MCD Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.

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

Mr. B.V. Balram Das, Adv.

for Central Mr. Vijay Panjwani, Adv.
Pollution Control
Board

for Govt. of NCT, Mr. D.N. Goburdhun, Adv.
DPCC Ms. Pinky Anand, Adv.
Ms. Geeta Luthra, Adv.

Mr. Vijay Panjwani, Adv.

in IA 2297-2298 Ms. Meera Mathur, Adv.

Mr. Krishnan Venugopal, Adv.
Mr. Deepak Prakash, Adv.
Mr. P.V. Dinesh, Adv.

...3/-

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UPON Hearing counsel the Court made the following
ORDER

I.A.Nos.2295-2296 in I.A.No.22 in W.P.(C)No.4677/1985

Heard the learned counsel for the parties.

Let the information sought for by the Central Pollution Control Board be furnished by the applicants. Whenever a meeting is fixed for the purpose of considering the prayer of the applicants the functionaries of PWD shall also remain present. The Central Pollution Control Board shall furnish its report within two weeks provided the applicants furnished the requisite information to them within a week. Call after two weeks.

I.A.No.2162-2163 in W.P.(C)No.4677/1985

Let it be listed and heard along with the main matter.

I.A.Nos.2263-2264A in W.P.(C)No.4677/1985

Let the MCD file its response within three weeks. Call thereafter.

I.A.Nos.2311-2312 in W.P.(C)No.4677/1985

Issue notice.

Let the Monitoring Committee and MCD file its report within three weeks. List thereafter.

I.A.Nos.2313-2314 in W.P.(C)No.4677/1985

Response by the MCD to be filed within three weeks. Call thereafter.

I.A.Nos.2297-2298 in I.A.No.22 in W.P.(C)No.4677/1985

Let an undertaking be given before this Court by the applicant to the effect that the Basement that is premises in question shall be used only for professional purposes. On that undertaking being filed desecration shall be done of D-65, (Basement) Anand Niketan, New Delhi -110021. The Monitoring Committee shall examine the correctness of the undertaking after two weeks and give its report.

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I.A.No.2259 in I.A.No.2026 in I.A.No.22 in W.P.(C)No.4677/1985

A copy of Report No.58 dated 1st July, 2008 so far as it relates to the applicant be supplied to the learned counsel for the applicant within two weeks. Reply, if any, to the report to be filed within 10 days. Put up thereafter.

I.A. No.2272-2273 in WRIT PETITION (CIVIL) NO(s). 4677 OF 1985
ETC.ETC. (Mentioned by Mr. Ranjit Kumar, Sr.Adv.(A.C.))

In partial modification of our order dated 08.07.2008, we direct that in case Mr. Ranjit Kumar, learned senior counsel (amicus curiae) is not able to attend the meetings, Chairman of the Monitoring Committee Mr. Bhure Lal can attend the same in place of Mr. Ranjit Kumar, as and when to be convened.

(PAWAN KUMAR)
COURT MASTER

(VIJAY AGGARWAL)
COURT MASTER