

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE : SEALING/DESEALING ISSUE 1) I.A. NO. 235067/2023 (CEC REPORT NO. 34/2023) 2)I.A.NOS. 77503 AND 82069/2024 (APPLNS. FOR DIRECTION AND PERMISSION ON BEHALF OF INDIAN OIL CORP. LTD.) 3) IA NOS. 117288, 117295 AND 154177/2021 (APPLNS. FOR IMPLEADMENT, DIRECTIONS AND PERMISSION TO FILE ADDL. DOCUMENTS) IN W.P. (C) NO. 4677/1985 ARE LISTED NAMES OF FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST : MR. S GURU KRISHNA KUMAR, SR. ADVOCATE (A.C.) MS. ANITHA SHENOY, SR. ADVOCATE (A.C.) MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.) PETITIONER-IN-PERSON MR. G.S. MAKKER, MR. AMRISH KUMAR, MR. PRAVEEN SWARUP, MS. MANIKA TRIPATHY, MR. CHIRAG M. SHROFF, MS. PRIYA PURI, MR. VISHNU KANT, MR. NITIN MISHRA, ADVOCATES)

WITH CONMT.PET.(C) No. 28/2024 in W.P.(C) No. 4677/1985
(FOR ADMISSION NAMES OF FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST : MR. S GURU KRISHNA KUMAR, SR. ADVOCATE (A.C.) MS. ANITHA SHENOY, SR. ADVOCATE (A.C.) MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.) MR. G.S. MAKKER, MR. AMRISH KUMAR, MR. PRAVEEN SWARUP, MR. NISHIT AGRAWAL, MR. CHIRAG M. SHROFF, ADVOCATES
[TO BE TAKEN UP ALONG-WITH W.P.(C) NO. 4677/1985])

CONMT.PET.(C) No. 29/2024 in W.P.(C) No. 4677/1985 (FOR ADMISSION)

Date : 14-05-2024 These petitions were called on for hearing today.

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

IA No.235067/2023

The learned amicus curiae states that the Central Empowered Committee (CEC) will file on record the details of number of trees required to be planted in Mayur Nature Park in terms of the clause (f) of paragraph 25 of the report. The CEC may do it by tomorrow i.e 15th May, 2024 and supply a copy thereof to the applicant/project proponent.

We grant time to the project proponent to file an undertaking of a competent officer giving unconditional undertaking to the Court to abide by the terms and conditions as prescribed by the CEC.

List this IA and Report on 17th May, 2024.

IA Nos.77503 and 82069 of 2024

The learned counsel appearing for the applicant- Indian Oil Corporation Limited in support of IA No.77503 and 82609 of 2024 states that the applicant is willing to shift the godown to a place allotted by the Delhi Development Authority (DDA).

Needless to add that the place will have to be outside the ridge area.

The learned senior counsel appearing for the DDA seeks time to take instructions. If any site can be identified for allotment to the applicant, the concerned authorities may communicate that to the applicant.

These applications shall be listed on 9th July, 2024.

The earlier order passed by this Court protecting the godown of the applicant will continue to operate.

IA Nos.117295 and 117288 and 154177 of 2021

The prayer made by the applicant, in a sense, is to direct the DDA to allow more FAR (450) for development of group housing.

We fail to understand how the applicant is seeking this direction in this matter. If in law, the applicant is entitled to FAR of 450, it is for the DDA to consider the said request and to decide the same in accordance with law.

With the above observations, the applications are disposed of.

List on 17th May, 2024 for considering IA No.235067/2023 and for laying down the schedule for hearing of the issue regarding sealing/de-sealing.

List the Contempt Petitions on 9th July, 2024.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER