

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA 2080-2081 & 2165-2166 in WP(C) No.4677 of 1985
(For directions and impleadment on behalf of M/s. Carma Art and Craft(P)Ltd. & permission to file addl. documents & facts)
In WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

M.C.MEHTA Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

WITH
IA 2085-2086 in WP (C) 4677 of 1985
(For direction and intervention on behalf of M/s. Steelco (India) Pvt. Ltd.)
IA 2088-2089 in WP © 4677 of 1985
(For directions and intervention on behalf of M/s. Home Decovel)
IA 2092-2093 in WP © 4677 of 1985
(Appln. for intervention/Stay on behalf of EMPIB Students Forum and EMPI Business)
IA 2140-2141 in WP(C) No.4677 of 1985
(For directions and impleadment and intervention)
IA 2183-2184 in WP(C) No.4677 of 1985
(For impleadment and clarification of Ct's order dt.07.05.2007 and 23.07.07)
IA 2094-2095 in WP © 4677 of 1985
(For directions and intervention on behalf of Faculty and Staff Forum (EMPI Businees School))

WI T H
IA 2082 in WP(C) No.4677 of 1985
(For directions on behalf of Society for Innovative Education Development (EMP) Businees School)
I.A. No. 2161 in W.P.(C) 4677/85
(for impleadment/direction on behalf of Delhi Tourism Transport Development Corp. & Ors.)
IA 2153 & 2154 in WP(C) No.4677 of 1985
(For impleadment/direction on behalf of IIPM & Anr.)

WITH
I.A.No. 2155 in W.P.(C) No. 4677/85
(for impleadment/directions on behalf of Shiv Niketan Society)

WITH
I.A.No.2187 in W.P.(C)No.4677/1985
(For Directions on behalf of Vansh Properties Pvt.Ltd.)

WITH
IA No.2189-2190 in W.P.C)No.4677/1985
(For intervention and Direction)

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WITH
IA No.2191 in W.P.C)No.4677/1985
(for impleadment)

WITH
IA Nos.2192-2193 In I.A.No.2126/2007 in W.P.C)No.4677/1985
(for impleadment and direction)

WITH
IA No.2194 in W.P.C)No.4677/1985
(for impleadment/direction)

WITH
IA Nos.41-46 In W.P.(C)No.263/2006
(for intervention, Direction and exemption from filing O.T.)

Date: 29/10/2007 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

For parties: Mr. Ranjit Kumar, Sr. Adv. (A.C.)
Mr. Kamal Mohan Gupta, Adv. (A.C.)

Mr. M.C. Mehta, Adv.

Mr. Sanjiv Sen, Adv.

Mr. Praveen Swarup, Adv.

MCD Mr. Subhash Bansal, Adv.

Union of India Mr. Amarendra Sharan, A.S.G.

Mr. T.A. Khan, Adv.

Mr. Devdatt Kamat, Adv.

Mr. R.C. Kathia, Adv.

Mr. D.S. Mahra, Adv.

Mr. Ashok Bhan, Adv.

Mrs. Kiran Bhardwaj, Adv.

NCT Delhi Mr. D.S. Mehra, Adv.

Mr. V.K. Verma, Adv.

In IA 2152-53 Mr. Arun Jaitley, Sr. Adv.

Mr. R.K. Sanghi, Adv.

Mr. R.P. Singh, Adv.

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Mr. Arun Jaitley, Sr. Adv.

Mr. Amit Sibal, Adv.

Mr. R.N. Karanjawal, Adv.

Ms. Manik Karanjwala, Adv.

Ms. Ruby Singh Ahuja, Adv.

Mr. Manu Aggarwal, Adv.

Mr. Jasbir Singh Malik, Adv.

for Mr. S.K. Sabharwal, Adv.

Mr. Vishnu B. Saharya, Adv.

for M/s. Saharya & Co. Advs.

DDA

IA41-46 in WP263 Mr. S.Chandra Shekhar, Adv.
of 2006

Mr. D.N. Goburdhan, Adv.

NCT of Delhi & Ms. Pinky Anand, Adv.

Urban Development Ms. Geeta Luthra, Adv.

Mrs. Gauri Karuna Das, Adv.

Mr. Sanjay Mani Tripathi, Adv.

IA 2092-2093 Ms. Anu Gupta, Adv.

Ms. Geetanjalee Malviya, Adv.

IA 2085-86 Mr. Ajay Veer Singh, Adv.

IA 2088-2089 Mr. B.S. Jain, Adv.

Mr. Manish Raghav, Adv.

Mr. Anand Mishra, Adv.

Dr. (Mrs.) Vipin Gupta, Adv.

Mr. S.K. Dwivedi AAG.

Mr. S.Wasim A. Qadri, Adv.

Mr. J. Ahmed Khan, Adv.

St. of U.P. Mr. A.K. Jha, Adv.

Mr. Pramod Dayal, Adv.
Mr. Nikunj Dayal, Adv.

IA 20941

Mr. Ratnakar Dash, Sr. Adv.
Ms. Kamakshi S. Mehlwal, Adv.

NCRPB

Ms. Sheel Sethi, Adv.

Ms. Anil Katiyar, Adv.

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Mr. Rajiv Dutta, Sr. Adv.
Mr. Vinay Garg, Adv.
Mrs. Deepam Garg, Adv.

NDMC

Mr. Rakesh K. Khanna, Sr. Adv.
Dr. Rashmi Khanna, Adv.
Mr. Surya Kant, Adv.
Mr. Pronov Vyas, Adv.

Mr. Rakesh Kumar Sharma, Adv.

Mr. Anil Katiyar, Adv.
Mr. Pramod Dayal, Adv.

Mr. R.C. Kaushik, Adv.

Mr. Ravinder Sethi, Sr. Adv.
Ms. S. Thakkar, Adv.
Ms. Binu Tamta, Adv.

Mr. Kamal Gupta, Adv.

Mr. A.D.N. Rao, Adv.

Mr. T. Anil Kumarmta, Adv.

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

Mr. Amit Dhingra, Adv.

M/s Dua Associates, Advs.

Mr. V.L. Verma, Adv.

Mr. Vinoo Bhagat, Adv.

Ms. Meenakshi Arora, Adv.

Ms. Suruchi Aggarwal, Adv.

Mr. T. Anil Kumar, Adv.

Mr. S. Chandra Shekhar, Adv.

UPON hearing counsel the Court made the following
ORDER

IA 22 in W.P.(C)4677/1985 & W.P.(C)263/2006

The Service Agencies who were asked to give the details of

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the infrastructure necessary for putting in place the Master Plan-2021 as notified on 7/2/2007 shall also work out similar details in respect of the 1400 unauthorised colonies covered by the

Ordinance dated 15/9/2007. The Agencies have been detailed in the order dated 7/5/2007.

The consolidated details shall be filed by the third week of January, 2008. The writ petitions

and the connected matters shall be listed on 12th, 13th, and 14th February, 2008 for hearing.

IA Nos.2080-2081 & 2165-2166

These IAs are rejected for the present.

IA Nos.2085-2086 & 2088-2089

If the applicant has any evidence to show that the premises in question were used for commercial purposes prior to 1978, when the applicant came into picture, they may be produced before the Monitoring Committee within a week from today. After hearing the

applicant, Monitoring Committee shall pass necessary orders.

IA Nos.2082, 2092-93, 2094-2095

Let the Monitoring Committee consider the matter keeping in view the affidavit of DDA and the additional affidavit of the applicant EMPI. The report shall be given within two weeks.

While dealing with the matter, the affidavit of DDA filed in respect of IAs 2153 & 2154 shall also be considered.

IA Nos.2140-2141

Let the relevant files be submitted by DDA to the Monitoring Committee within a week from today with its comments and recommendations. The Monitoring Committee shall submit its report within three weeks. The interim order to continue until further orders.

IA Nos.2183-2184

Learned counsel for the petitioner wants to withdraw these applications. They are dismissed as withdrawn.

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IA Nos.2161, 2189 & 2190

The affidavit of ASI in respect of these IAs 2161, 2189 & 2190 shall be filed within two weeks. Call this matter after two weeks.

IA Nos.2153 & 2154

The matter is referred to the Monitoring Committee in view of the affidavit filed by DDA. The report of the Monitoring Committee shall be filed within three weeks.

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IA 2155

List on 13th November, 2007.

IA 2187

Issue notice.

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

IA 2191 IN IA 2057 & 58/07 IN 2061-2062

Let the Monitoring Committee respond to these IAs.

IA Nos.2192, 2193 & 2126 & IA.....(Lajpat Nagar)

Let the MCD file its response within four weeks.

IA No.2194

Notice.

In the meantime, let the applicant appear before the Monitoring Committee on Thursday i.e. 1st November, 2007 and place materials in support of the stands taken in the IAs .

Monitoring Committee shall examine the matter and give its recommendations. It is open to the Monitoring Committee to pass such interim order as may be warranted in the circumstances of the case.

IAS 41 to 46 in W.P.(C)No.263/2006

Notice.

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In the meantime, let the applicant appear before the Monitoring Committee on

Thursday i.e. 1st November, 2007 and place materials in support of the stands taken in the IAs .

Monitoring Committee shall examine the matter and give its recommendations. It is open to

the Monitoring Committee to pass such interim order as may be warranted in the circumstances of the case.

IAS Nos.2195 & 2196

Taken on board.

List on 13th November, 2007.

IA.....(Indian Carpets)

Taken on board.

List on 14th November, 2007.

IA NO.....D.No.73759/07

IA NO.....D.No.73760/07

Taken on Board. List on 14th November, 2007.

(Sheetal Dhingra)

Court Master

COURT NO.4

(P.S. Tyagi)

Court Master

SECTION PIL

ITEM NOS.402

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

IA No.1531 I IA No.22 In W.P.(C) No.4677 of 1985
(For directions on behalf of Naraina Industrial Area, CETP Society Through its president with office report)
(Re: CETP matters)

In WRIT PETITION (CIVIL) NO(s). 4677 OF 1985

M.C.MEHTA Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

WITH
IA No.1791 in W.P.(C)No.4677/1985
(for directions on behalf of Naraina Industrial Area CETP Society)
WITH
IA No.1846 in W.P.(C)No.4677/1985
(for Directions on behalf of Okhla Industrial Estate C.E.T.P.)
WITH
IA No.1828 & 1829 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for directions and impleadment on behalf of President Kalyan Brastachar Virodhi Sangarsh Samiti)
WITH
IA No.1830 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for exemption from depositing the cost of C.E.T.P. on behalf of M/s. Pure Drinks Ltd.)
WITH
IA No.1834 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for impleading the name of M/s. Anand Parbat Industrial Area, C.E.T.P. Society)
WITH
IA No.1868 & 1869 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for directions and impleadment on behalf of Britannia Industries Ltd.)
IA No.1861 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for directions on behalf of Anand Parbat Effluent Treatment Ltd.)
IA No.1862 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for directions on behalf of Anand Parbat Effluent Treatment Ltd.)
IA No.1863 In IA No.1531 in IA No.22 in W.P.(C)No.4677/1985
(for directions on behalf of Maya Puri Industrial C.E.T.P.Society)
IA No.1183 in IA No.22 in W.P.(C)No.4677/1985
(for directions on behalf of Confederation of Delhi Industrial C.E.T.P. Society)
IA No.1216 IA 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)

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IA No.1833 In IA No.1531 in W.P.(C)No.4677/1985
(for directions on behalf of Naraina Industrial Area CETP Society)
IA No.1842 In IA No.1531 In W.P.(C)No.4677/1985
(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
IA No.1879 In IA No.1531 In IA No.22 in W.P.(C)No.4677/1985
(for directions on behalf of Govt. of N.C.T. of Delhi.)
WITH
IA No.1905 In W.P.(C)No.4677/1985
(for Directions)
(on behalf of Okhla Industrial Estate C.E.T.P.)
WITH
IA No.1909 In W.P.(C)No.4677/1985
(For directions on behalf of G.T. Karnal Road CETP Society)
WITH
IA No.1910 In W.P.(C)No.4677/1985
(For directions)
(on behalf of M/s. Wazirpur Industries Pollution Control Co)
Conmt.Pet.(Civil)No.64/2007 In W.P(C)No.4677/1985

Date: 29/10/2007 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

For parties: Mr. Ranjit Kumar, Sr. Adv. (A.C.)

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

Mr. Sudarsh Menon, Adv.
Mr. Mahesh Singh, Adv.

Urban Dev.& DSIDC Mr. D.N. Goburdhan, Adv.
Ms. Pinky Anand, Adv.
Ms. Geeta Luthra, Adv.

IA 1905 Mr. Shiv Prakash Pandey, Adv.
Mr. Anil Kausik, Adv.

Mrs. Anil Katiyar, Adv. Mr. D.S. Mahra, Adv.

Mr. M.C. Mehta, Adv.

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Mr. K.Rajeev, K. John & Co.

Mr. Alok Rai, Adv.
Mr. A.Dev Kumar Adv.
Mr. K. Rajeev, Adv.

Mr. Ashok Kr. Sharma, Adv.

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

IA 1846 Mr. P.N. Puri, Adv.
Mr. Naresh Khanna, Adv.
Mr. Dhiraj, Adv.
Mrs. Reeta Dewan Puri, Adv.

Mr. Vijay Panjwani, Adv.

Ms. Sheil Sethi, Adv.

Mr. Kamendra Mishra, Adv.

Mr. P.N. Puri, Adv.

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

Mr. Debasis Misra, Adv.

Mr. K. Rajeev, Adv.

M/s. Manoj Swarup & Co.

MCD Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.
Mr. Subhash Bansal, Adv.

Britannia Indst. Mr. Ankit Parhar, Adv.

Ltd. IA 1531 Mrs. Kamakshi S.Mehlwal, Adv.

Mr. Ashok Kr. Sharma, Adv.

Mr. M.K.D. Namboodiri, Adv.

Mr. Sudarsh Menon, Adv.

Mr. Rakesh K. Khanna, Sr. Adv.

Mr. Surya Kant, Adv.

Dr. Rashmi Khanna, Adv.

Mr. Pronav Vyas, Adv.

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Mr. Gulshan Bajwa, (In-Person)

Mr. Shiv Kr. Pandey, Adv.

IA 1531 NCRP

Ms. Sheel Sethi, Adv.

Mr. S.C. Paul, Adv.

Ms. Roopa Paul, Adv.

1834

Mr. S.S. Munde, Adv.

UPON hearing counsel the Court made the following
ORDER

IA 1531 in IA 22

List on 14th November, 2007.

(Sheetal Dhingra)
Court Master

Court Master

(P.S. Tyagi)