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ITEM NO.301

COURT NO.3

SECTION PIL

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

RECORD OF PROCEEDINGS

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 Directions)

WITH

I.A. No.1958 in I.A. No.22 in WP(C) No.4677/1985

WITH

I.A. No.2026 & 2074 in I.A. No.22 in WP(C) No.4677/1985

(For impleadment, directions and stay on behalf of All India

Digamber Jain Society, Delhi)

AND

I.A. No.2027 in W.P.(C) No.4677/1985

(For directions on behalf of State Bank of India)

AND

I.A. No.2028 in W.P.(C) No.4677/1985

(For impleadment on behalf of State Bank of India)

WITH

I.A. Nos.2025 & 2075 in I.A. No.22 in W.P.(C) No.4677/1985

(For directions on behalf of M/s. Alpha Bhoj)

WITH

I.A. No.2029 in I.A. No.22 In W.P.(C) No.4677/1985

(For intervention and directions)

WITH

I.A. Nos.2031-2032 & 2065 in W.P.(C) No.4677/1985

(For intervention and direction and early hearing on behalf of
Mishra Charitable Trust)

WITH

I.A. Nos.2038 & 2039 in I.A. No.22 in W.P.(C) No.4677/1985

(For directions on behalf of East Inn Guest House and Vikas Marg
Vyapar Mandal (Regd.)

AND

W.P.(C) No.263 of 2006

WITH

W.P.(C) No.264 of 2006

W.P.(C) No.569 of 2006

(With application for directions and office report)

W.P.(C) No.563 of 2006

(With office report)

W.P.(C) No.610 of 2006

(With office report)

W.P.(C) No.266 of 2006

W.P.(C) No.450 of 2006

W.P.(C) No.464 of 2006

W.P.(C) No.470 of 2006

(For further directions)

WITH

I.A. Nos.2033 & 2034 in I.A. No.22 in W.P.(C) No.4677/1985

(For intervention and directions on behalf of Mr. Adhiswar Puri)

WITH

I.A. Nos.2035, 2036 & 2037 in I.A. No.22 in W.P.(C) No.4677/1985

(For directions, impleadment and exemption from filing OT on behalf of Chandni Chowk Sarv Vyapar Mandal)

WITH

I.A. Nos.2001 and 2043 in I.A. No.22 in W.P.(C) No.4677/1985

(For impleadment and directions and condonation of delay in filing reply on behalf of CTC Plaza)

WITH

I.A. Nos.2049 & 2050 in W.P.(C) No.4677/1985

(For directions and impleadment on behalf of M/s. Precise Automobile)

WITH

I.A. Nos.2051, 2052 & 2060 in W.P.(C) No.4677/1985

(For intervention, directions and permission to file additional documents on behalf of Delhi Society for the Welfare of Special Children)

WITH

I.A. Nos.2044 & 2045 in W.P.(C) No.4677/1985

(For direction and intervention on behalf of M/s. Gautam Residency)

WITH

I.A. Nos.2061 & 2062 in W.P.(C) No.4677/1985

(For directions and impleadment)

WITH

I.A. No.2063 in W.P.(C) No.4677/1985

(For intervention and directions)

WC 4677/85 contd...

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WITH

I.A. No.2064 in W.P.(C) No.4677/1985

(For intervention on behalf of All India Human Rights Society)

WITH

I.A. No.2066 in W.P.(C) No.4677/1985

(For directions on behalf of M/s. Delhi Loha Vyapar Association)

WITH

I.A. Nos.2067 & 2068 in W.P.(C) No.4677/1985

(For directions and exemption from filing OT on behalf of Mandir Nili
Chattri)

WITH

I.A. Nos.2069 & 2069-A in W.P.(C) No.4677/1985

(For stay and direction of W.P.(C) D. No.4196/2007 in pursuance
of Court Order dated 12.02.2007)

WITH

I.A. Nos.2070 & 2071 in W.P.(C) No.4677/1985

(For directions on behalf of Delhi Traders Association)

WITH

I.A. Nos.2072 & 2073 in W.P.(C) No.4677/1985

(For intervention/directions & stay on behalf of D.D.A. Market Joint
Action Committee, Vikas Puri, Delhi)

WITH

I.A. Nos.2057 & 2058 in W.P.(C) No.4677/1985

(For directions and impleadment on behalf of Mr. V.N. Raghupathy)

WITH

I.A. No.2059 in W.P.(C) No.4677/1985

(For directions on behalf of M.C.D.)

WITH

I.A. No. 2046 in W.P.(C) No.4677/1985

(For impleadment & directions on behalf of Great Getsby Club)

WITH

I.A. No. 2047 in W.P.(C) No.4677/1985

(For modification of Court's order on behalf of Union of India)

WITH

I.A. No. 2048 in W.P.(C) No.4677/1985

(For directions on behalf of M.C.D.)

I.A. No.2076 and 2077 in W.P.(C) No.4677/1985

(For directions and intervention)

With

IA 2080-2081 in WP © 4677 of 1985

(For directions and impleadment on behalf of

M/s Carma Art and Craft (P) Ltd.

Contd.....4/-

WC 4677/85 contd....

With

IA 2082 in WP © No.4677/1985

(For directions on behalf of society for innovative education
development (EMP) business school)

IA 2078 in IA No.22 in in WP © 4677 of 1985

(For Intervention/directions)

IA 2083 in IA 22 in WP © No.4677/1985

(For Impleadment and directions on behalf of
South Extn-I Market Association)

IA 2084 in IA No.22 in in WP © 4677 of 1985

(for modification of order dt. 23.11.2006 on behalf of
Commissioner of Police, Delhi)

Date: 7.5.2007 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 D.K.JAIN

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

Ms. Vibha Datta Makhija, Adv. (A.C.)

For Petitioner(s) Mr. M.C. Mehta,

Petitioner in person

Mr. Praveen Swarup, Adv.

Mr. Vijay Panjwani, Adv.

Mr. R.L. Panjwani,Adv.

Mr. Mushtaq Ahmed,Adv.

For Petitioner(s) Petitioner-in-person

In WP(C) 264/06 &

563/06

In Cont.Pet.Nos. Mr. Balli, in-person

116/06 & 176/06

For Petitioner(s) Mr. B.S. Jain,Adv.

Mr. Ajay Veer Singh Jain,Adv.

Mr. Anand Mishra,Adv.

Dr. Charu Walikhanna,Adv.

Dr.(Mrs.) Vipin Gupta,Adv.

For Respondent(s)/

Mr. G.E. Vahanvati, Solicitor General

Union of India

Mr. Amarendra Sharan, A.S.G.

Mrs. Indira Jaising, Sr.Adv.

Mr. Devadatt Kamat,Adv.

Mr. Hrishikesh Baruah,Adv.

Mr. T.A. Khan,Adv.

Mr. V.K. Verma,Adv.

contd.....5/-

WC 4677/85 contd.....

-5-

For Delhi Police

Mr. Ashok Bhan,Adv.

Ms. Kiran Bhardwaj,Adv.

Mr. M.P.S. Tomar,Adv.

Mr. D.S. Mahra,Adv.

M.C.D. Mr. Sanjib Sen,Adv.
Mr. Praveen Swarup,Adv.

D.D.A Mr. A. Sharan, A.S.G.
Mr. Vishnu B. Saharya,Adv.
for M/s. Saharya & Co.

MoUB/DPCC/
NCT of Delhi &
DSIDC Mr. D.N. Goburdhun,Adv.
Ms. Pinky Anand,Adv.
Ms. Geeta Luthra,Adv.

Mr. Mukul Rohtagi, Sr.Adv.
Mr. Dhruv Mehta,Adv.
Mr. Harshvardhan Jha,Adv.
Mr. Yashraj SinghDeora,Adv.
for M/s. K.L. Mehta & Co.

NCRPB: Ms. Sheil Sethi,Adv.

Mr. Soli J. Sorabjee, Sr.Adv.
Mr. Amir Singh Pasrich,Adv.
Mr. Gopal Jain,Adv.
Mr. Anshuman Sood,Adv.
Ms. Manik Karanjawala,Adv.

Mr. M.L. Verma, Sr.Adv.
Mr. Rana Mukherjee,Adv.
Mr. Siddharth Gautam,Adv.
Mr. Goodwill Indeevar,Adv.
Mr. Mahendra Rana,Adv.

Mr. Somvir Singh Deswal,Adv.
Mr. Shree Pal Singh,Adv.

Mr. Ravishankar Prasad, Sr.Adv.

Mr. Sanjay Rastogi,Adv.

Ms. Suruchi Agarwal,Adv.

Mr. Amit Kumar,Adv.

Mr. Jayant K. Mehta,Adv.

Mr. Rakesh K. Sharma,Adv.

Dr. Harsh Pathak,Adv.

Mr. Farrukh Rasheed,Adv.

Mr. V.N. Raghupathy,Adv.

Mr. Anupama Sharma,Adv.

Sri Ajit Singh,Adv.

Mr. Vishnu Sharma,Adv.

Mr. Arun Jaitley, Sr.Adv.

M/s. Anil Airi, Ghanshyam,

Mr. Devendra Singh,Advs.

contd....6/-

WC 4677/85 contd...

-6-

Mr. Jasbir Singh Malik,Adv.

Mr. S.K. Sabharwal,Adv.

Mr. D.K. Sharma,Adv.

Ms. Madhumita Bhattacharjee,Adv.

Mr. Arun Kaushal,Adv.

Mr. Girdhar G. Upadhyay,Adv.

Ms. Vinita G. Upadhyay,Adv.

Ms. Asha Upadhyay,Adv.

Mr. R.D. Upadhyay,Adv.

Mr. R.K. Kapoor,Adv.

Mr. S.S. Yadav,Adv.

Mr. M.K. Verma,Adv.

Mr. R.M. Sinha,Adv.

Mr. Rakesh Singh,Adv.

Mr. Mukesh Kumar Sinha,Adv.

Mr. Arun K. Sinha,Adv.

Mr. Tripurari Ray,Adv.

Mr. Ashutosh Dubey,Adv.

Mr. Sanjeev Mahajan,Adv.

Mr. Siddharth Chowdhary,Adv.

Mr. Nikhilesh R.,Adv.

Ms. Naresh Bakshi,Adv.

Mr. Shankar Divate,Adv.

Ms. Sharmila Upadhyay,Adv.

Mr. Sanjay Kapur,Adv.

Mr. Prakash Kumar Singh,Adv.

Mr. Dipak Kumar Jena,Adv.

Mr. P. Narsimhan,Adv.

Mr. M.C. Dhingra,Adv.

Mrs. Naresh Bakshi, Adv.

Mr. Shankar Divate, Adv.

Ms. Sharmila Upadhyay, Adv.

Mr. Sanjay Kapur, Adv.

Mr. Prakash Kumar Singh, Adv.

Mr. Dipak Kumar Jena, Adv.

contd.....7/-

WC 4677/85 contd....

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Mr. P.Narsimhan, Adv.

Mr. M. C. Dhingra, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A. No.22

In view of the affidavit filed by the Ministry of

Urban

Development, and after hearing learned A.C. and SG, we feel tha

t the

definite views of the different agencies, who have definite roles to play,

for implementation of the Master Plan, need to be ascertained.

Issue notice returnable on 23.7.2007, to the authorities as per the list supplied by the learned SG. The response, if any, shall be filed within three weeks.

It has been brought to our notice that during the pendency of this matter before this Court, the MCD is granting permission to construct additional floor. Such permission shall not be granted hereinafter.

So far as the notification relating to the roads for commercial user is concerned, the Authority shall not permit the same to be done without proper survey. The relevant details shall also be brought to the notice of this Court for further orders.

We have considered Report No.34 dated 4.5.2007 of the Monitoring Committee. In para 3 of the Report, it

has been stated that there are large scale commercial activities being

carried on on public land meant for public utility services. There appears to be difference of view as to how sealing can be carried out, in terms of the orders of this Court and whether sealing has to be done by DDA or MCD. To avoid any confusion, we direct that the Monitoring Committee shall carry on sealing in the presence of functionaries of MCD and DDA. To avoid any further confusion, which is appearing in the minds of the NDMC Authorities, we direct that the sealing shall also be carried out in the areas governed by the NDMC.

I.A.Nos.2044-2045, 2090

In view of the prayer these applications are disposed of as not pressed.

I.A.No.2026

The order dated 10.4.2007 shall continue till the next date i.e. 14.5.2007.

I.A.No.2033

No orders are necessary on this application.

Rest of the IAs. may be listed on 14.5.2007.

(Meera Hemant)

(Vijay Aggarwal)

Asstt. Registrar

Court Master

ITEM NO. 302

COURT NO. 3

SECTION PIL

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

RECORD OF PROCEEDINGS

I.A. NO. 1901 IN I.A. NO. 1888 In W.P.(C) NO. 4677 OF 1985

M.C. MEHTA

Petitioner (s)

vs.

UNION OF INDIA & ORS.

Respondent(s)

(For directions on behalf of R. Kant & Co.)

WITH

I.A. NO. 1902 IN I.A. NO. 1888 IN W.P.(C) No. 4677/1985

(For exemption from filing O.T.)

I.A. NO. 1903 In I.A. No. 1888 In W.P.(C) NO. 4677/1985

(For permission to file lengthy list of dates and events)

I.A. NO. 1904 In I.A. No. 1888 In W.P.(C) NO. 4677/1985

(For permission to file appln. for directions)

I.A. NO. 1999 In I.A. Nos.1901-1904 IN I.A. NO. 1888 In W.P.(C) NO. 4677/1985

(For intervention on behalf of Kant Enclave Residents Welfare Associations)

I.A. No. 1955 I.A. No. 1888 In W.P.(C) NO. 4677/1985

(For Directions)

I.A. NOS. 1965-1966 In I.A. No. 1888 In W.P.(C) NO. 4677/1985

(For Impleadment and directions)

I.A. NO. 2024 In I.A. Nos. 1901-1904 In I.A. No. 1888 In W.P.(C) NO. 4677/1985

(For impleadment and directions)

DATE : 07/05/2007 : This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE D.K. JAIN

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

Ms. Vibha Datta Makhija, Adv. (A.C.)

For Petitioner (s)

Mr. M.C. Mehta, Adv.

Mr. C.S. Ashri, Adv.

For Respondent (s)

Mr. Dinesh C Pandey, Adv.

Mr. T.V. George, Adv.

Ms. Sharmila Upadhyay, Adv.

Mr. Vijay Panjawani, Adv.

Mrs. Anil Katiyar, Adv.

Mr. V.K. Verma, Adv.

Mr. Ajay Siwach, Adv.

Mr. Dhruv Mehta, Adv.

for M/s K.L. Mehta & Co., Adv.

Mr. V.B. Saharya, Adv.

for M/s. Saharya & co., Adv.

Mr. Praveen Swarup, Adv.

Mr. D.N. Goburdhan, Adv.

UPON hearing counsel the Court made the following

O R D E R

List on 14.5.2007.

[Meera Hemant]

Asstt. Registrar

[Vijay Aggarwal]

Court Master

ITEM NO. 303

COURT NO. 3

SECTION PIL

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

RECORD OF PROCEEDINGS

I.A. NO. 2079 IN I.A. NO. 1888 In W.P.(C) NO. 4677 OF 1985

M.C. MEHTA

Petitioner (s)

vs.

UNION OF INDIA & ORS.

Respondent(s)

(For impleadment and direction on behalf of M/s L & T Ltd)

DATE : 07/05/2007 : This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE D.K. JAIN

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

Ms. Vibha Dutta Makhija, Adv. A.C.

For Petitioner (s) In Person (NP)

For Respondent (s) Mr. Dhruv Mehta, Adv.

for M/s K.L. Mehta & Co.

Mr. Vijay Panjawani, Adv.

Mr. V.B. Saharya, Adv.

for M/s Saharya & co., Adv.

Mr. Praveen Swarup, Adv.

Mr. D.N. Goburdhan, Adv.

UPON hearing counsel the Court made the following

O R D E R

The applicant is willing to abide by the conditions stipulated

by the Central Pollution Control Board. If the applicant acts in terms of the stipulations in the order passed by the Central Pollution Control Board, the permission, as sought for, is granted. I.A. No. 2079 is disposed of.

[Meera Hemant]
Asstt. Registrar

[Vijay Aggarwall]
Court Master