

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.1821 IN WRIT PETITION (Civil) NO. 4677 OF 1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For intervention/direction on behalf of Rajni Kothari & Ors.)

With I.A. No.1865 in I.A. No.1821 in W.P. (C) No.4677 of 1985

(For seeking permission to file addl. affidavit and documents)

I.A. No.1867 in I.A. No.1821 in W.P. (C) No.4677 of 1985

(For seeking permission to file addl. affidavit and documents)

I.A. No.1882 in W.P. (C) No.4677 of 1985

(For directions on behalf of Govt. of N.C.T. of Delhi)

I.A. No.1890 in I.A. No.1821 in W.P. (C) No.4677 of 1985

Date: 07/02/2006 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

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

For Petitioner(s)/

Mr. Colin Gonsalves, Sr. Adv.

Applicant(s)

Mr. Vipin M. Benjamin, Adv.

Ms. Aparna Bhat, Adv.

Mr. D.N. Gorburdhan, Adv.

Ms. Pinky Anand, Adv.

Ms. Geeta Luthra, Adv.

Mr. M.C. Mehta, Adv.

For Respondent(s)

Mr. B. Datta, ASG.

Ms. Sandhya Goswami, Adv.

Mr. V.K. Verma, Adv.

Mr. B.V. Balaram Das, Adv.

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Mr. D.N. Goburdhan, Adv.

Ms. Pinky Anand, Adv.

Ms. Geeta Luthra, Adv.

Mr. V.B. Saharya, Adv.

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

Mr. Sanjiv Sen, Adv.

Mr. Praveen Swarup, Adv.

Mr. Ashok Bhan, Adv.

Mr. S.W.A. Qadri, Adv.

Ms. Kiran Bhardwaj, Adv.

Ms. Anil Katiyar, Adv.

Ms. Sheel Sethi, Adv.

Mr. Vikas Sharma, Adv.

Ms. Anil Katiyar, Adv.

UPON hearing counsel the Court made the following

O R D E R

This order is in continuation of the order made on 7th December, 2005. In terms of the said order, the Chief Secretary of the Government of N.C.T. of Delhi has filed affidavit dated 6th January, 2006. Though no specific answer has been given for non-location of the three colonies, namely, Indira Nagar, Sanjay Nagar and Balbir Nagar, to site at Jaunapur but the affidavit sets out the time-frame of shifting instead to Bawana, Holambi Kalan, Savdaghevra and Dera Mandi. It is stated that 1112 jhuggies/units can be shifted immediately to Bawana, 509 to Holambi Kalan and remaining 2678 of Savdaghevra and Dera Mandi where infrastructure and development would be complete and families can be shifted by May, 2006. We would separately examine the issue as to why families were/are not being shifted to Jaunapur and why requisite application seeking permission to change the site was not obtained from this Court but, having regard to the need to immediately get the ridge area

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cleared, we would, in the first instance, permit the Government to relocate the families within the strict time-schedule mentioned in the affidavit. The

shifting would, therefore, clear the ridge area which was the direction made many years ago. It is represented that infrastructure and development activities at Bawana and Holambi Kalan are complete and shifting can be effected immediately. We direct that shifting at these two places be commenced within four weeks and be completed within eight weeks. The remaining families shall be shifted, as above stated, by 31st May, 2006. After shifting is complete, a status report shall be filed indicating therein too availability of the basic facilities in those areas.

List the matters in the end of July, 2006.

[ T.I. Rajput ]

[ V.P. Tyagi ]

A.R.-cum-P.S.

Court Master

ITEM NO.2

COURT NO.1

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. NOS.1855-1856 IN WRIT PETITION (Civil) NO. 4677 OF 1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For impleadment and directions)

Date: 07/02/2006 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

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

For Petitioner(s)/

Mr. S. Muralidhar,Adv.

Applicant(s)

Ms. Rukhsana Choudhary,Adv.

Ms. Sumita Hazarika,Adv.

Mr. M.C. Mehta,Adv.

For Respondent(s)

Mr. B. Datta,ASG.

Ms. Sandhya Goswami,Adv.

Mr. V.K. Verma,Adv.

Mr. B.V. Balaram Das,Adv.

Mr. D.N. Gorburdhan,Adv.

Ms. Pinky Anand,Adv.

Ms. Geeta Luthra,Adv.

Mr. V.B. Saharya,Adv.

Mr. Viresh B. Saharya,Adv.

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

Ms. Indra Sawhney,Adv. (N/P)

Mr. Sanjiv Sen,adv.

Mr. Praveen Swarup,Adv.

UPON hearing counsel the Court made the following

O R D E R

Delhi As prayed by Mr. V.B. Saharya, learned counsel,

Development Authority is granted further two weeks' time to file affidavit in terms of order dated 10th January, 2006. Response to the affidavits of the Delhi Development Authority and the Municipal Corporation of Delhi, if any, be filed within two weeks thereafter.

List the matters after six weeks.

[ T.I. Rajput ]

A.R.-cum-P.S.

[ V.P. Tyagi ]

Court Master