

ITEM NO.5

COURT NO.2

SECTION PIL-W

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

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

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: HARYANA MINING(1) IA NO. 2603/2014 (APPLN. FOR MODIFICATION/CLARIFICATION ON BEHALF OF STATE OF HARYANA)2) I.A. NO. 32531/2021 (APPL. SEEKING PERMISSION TO FILE SHORT CONVENIENCE VOL. ON BEHALF OF STATE OF HARYANA)3) I.A. NOS. 35779 AND 35781/2021 (APPLS. SEEKING PERMISSION TO FILE ADDL. AFFIDAVIT AND EXEMPTION TO FILE NOTARIZED AFFIDAVIT ON BEHALF OF STATE OF HARYANA)AND4) IA NO. 219231/2023 (CEC REPORT NO. 32/2023)IN W.P. (C) NO. 4677/1985 "ONLY" 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-PERSONMR. G.S. MAKKER,MR. AMRISH KUMAR,MS. MONIKA GUSAIN,MR. SANJAY KR. VISEN,MR. KAMAL MOHAN GUPTA,MR. YASHRAJ SINGH DEORA, MR. T.V. GEORGE,DR. KAILASH CHANDM/S K.L. MEHTA AND CO., ADVOCATES)

WITH

C.A. No. 4013/2020 (XVII)
(ONLY I.A. NO. 155105/2022 IS TO BE LISTED
IA No. 155105/2022 - VACATING STAY)

Date : 07-11-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

Mr. A.D.N. Rao, Sr. Advocate (A.C.)
Mr. S Guru Krishna Kumar, Sr. Adv. (A.C.)
Ms. Anitha Shenoy, Sr. Adv.(A.C.)
Mr. Siddhartha Chowdhury, Adv. (A.C.)

Ms. Suhashini Sen, Adv.
Mr. Rajat Nair, Adv.
Ms. Ruchi Kohli, Adv.
Mr. B K Satija, Adv.
Ms. Swarupama Chaturvedi, Adv.
Ms. Shagun Thakur, Adv.
Ms. Chitragda Rastravara, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Tushar Mehta, Solicitor General
Ms. Suhashni Sen, Adv.
Mr. Rajesh Kr. Singh, Adv.
Mr. Rajat Nair, Adv.
Mr. S.S. Rebello, Adv.
Mr. T.s. Sabarish, Adv.
Mr. Amrish Kumar, AOR

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. B.k. Satija, A.A.G.
Mr. Rahul Khurana, Adv.
Dr. Monika Gusain, AOR

Mr. Sanjay Kr. Visen, AOR

Mr. Amber Sahabaz Ansari, Adv.
Ms. Manju Bala, Adv.
Mr. Deepak Kumar, Adv.
Mr. Dheeraj Singh, Adv.
Mr. Mahendra pratap Singh, Adv.
Mr. Onkar Singh, Adv.
Mr. Kamal Mohan Gupta, AOR

Mr. Yashraj Singh Deora, AOR

Ms. Merry S Mathew, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. S.K. Rajora, Adv.
Mr. Akhileshwar Jha, Adv.
Ms. Ritika Raj, Adv.
Ms. Komal, Adv.
Mr. Martindusuza, Adv.
Mr. T.V. George, AOR

Dr. Kailash Chand, AOR

M/S K.L. Mehta And Co., Adv.

Ms. Mukta Gupta, Sr. Adv.

Mr. Tarun Gupta, AOR
Mr. Raj Sudhakar Yadav, Adv.
Mr. Atul Kumar, Adv.
Mr. Yatinder Choudhary, Adv.
Mr. Davinder Singh Khurana, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Manoj Rajpoot, Adv.
Mr. Vikrant, Adv.
Ms. Nitya Gupta, Adv.

Dr. Manish Singhvi, Sr. Adv.
Ms. Shubhangi Agarwal, Adv.
Mr. Apurv S., Adv.
Mr. D. K. Devesh, AOR

Dr. Manish Singhvi, Sr. Adv.
Mr. Sandeep Kumar Jha, AOR
Ms. Shubhangi Agarwal, Adv.

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

IA No. 155105/2022 IN C.A. No. 4013/2020

It is stated by learned counsel for the appellants and the other counsels that this appeal has been wrongly tagged with the writ petition and actually there is another Bench taking up the matter with which this matter has to be listed being C.A. No. 5082 of 2019 in terms of order dated 04.12.2020 which is now listed on 21.11.2023.

Let the appeal be de-tagged and re-tagged as aforesaid.

W.P.(CIVIL) NO. 4677/1985

Learned Amicus Curiae points out that there has been some press reports to the effect that carbon

dating of paleolithic era stone carvings in the Aravalis has been found and ASI has set up 5-member Committee. This area may thus require protection.

The State of Haryana will file a response in this behalf and ensure that if the report is correct, no damage is caused in the area.

List on 09.01.2024.

IA NO. 219231/2023 (CEC REPORT NO.32 OF 2023)

Learned Amicus Curiae points out that the CEC report can be accepted as it is though the possibility of translocation is not very high.

In view of the aforesaid, permission is granted to the ADB on terms and conditions as per the report of the CEC.

The report is accepted and application stands allowed in terms aforesaid.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)