

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

I.A.No.182 in W.P.(C) No.13029/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(For impleadment on behalf of State of Haryana)  
For further directions)  
I.A.Nos.183 & 238 in I.A.No.151 in W.P.(C)No.13029/1985  
(For direction on behalf of State of Haryana)

I.A.Nos.188-189 in W.P.(C)No.13029/1985  
(For directions/impleadment on behalf of Delhi Traffic Police)  
I.A.No.197 in W.P.(C) No.13029/1985  
For impleadment on behalf of M.S.Yamaha Motors (India))  
I.A.No.213 in W.P.(C) No.13029/1985  
(For directions and revocation of order dated 15.7.2002 filed by  
Govt. of N.C.T. of Delhi)

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IN THE MATTER OF : P.W.D., GOVT. OF N.C.T. OF DELHI REGARDING  
PERIPHERAL EXPRESS WAY FOR DELHI.

I.A.No.243 in W.P.(C) No.13029/1985  
(For directions)

I.A.No.53 in W.P.(C) No.13029/1985  
(For impleadment & direction on behalf of M/s. Indiana Travel (P) Ltd.)

I.A.No.244 in W.P.(C) No.13029/1985  
(For intervention & direction on behalf of Centre for PIL)

I.A.No.79 in W.P.(C) No.13029/1985  
(For impleadment & directions on behalf of M/s. Rare Fuel & Automobiles  
Technology (P) Ltd.)

Writ Petition (C) No.939 of 1996  
IN RE: Delhi Transport Department

Special Leave Petition (C) No.13208 of 1998  
(With appln. for filing c/delay in filing SLP)

Writ Petition (C) No.543 of 2003  
(With appln.(s) for exemption from filing O.T. and impleadment  
as party respondent)

Writ Petition (C) No.108 of 2005

Date: 18/08/2005 This/these Petition(s) was/were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE ARIJIT PASAYAT  
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. Harish N. Savle, Sr.Adv. ( A.C.)  
Ms. Aparajita Singh, Adv.  
Mr. U.U. Lalit, Sr.Adv. (A.C.) (NP)  
Mr. M.C. Mehta, Adv. (NP)

WP(C) 939/96: Mr. Ranjit Kumar, Sr. Adv. (A.C.) (N.P.)

WP 543/03: Mr. Sibho Sankar Mishra, Adv.

WP 108/05: Mr. P.S. Narasimha, Adv  
Mr. Avijeet Kumar Lala, Adv  
Mr. Sudhir Nandrajog, Adv  
M/s. P.S.N. & Co., Advs.

For Respondent(s)

Min.of Surface Tans.: Mr. S Wasim A. Qadri, Adv  
D/o PWD, D/o Transport, Mrs. Anil Katiyar, Adv.

Delhi Police: Mr. S.Wasim A. Qadri, Adv.  
Mr. Mohd. Saud, Adv.

Mrs. Anil Katiyar, Adv.

M.C.D.: Mr. Sajiv Sen, Adv.  
Mr. Praveen Swarup, Adv  
Mr. Rajan Narain, Adv

Punjab: Mr. Sarup Singh, Sr. Adv. Genl.

CPCB: Mr. Vijay Panjwani, Adv.

MoEF: Mr. Vikas Sharma, Adv.  
Mr. Amitava Poddar, Adv.  
Mrs. Anil Katiyar, Adv.

NCRPB: Mrs. Sheil Sethi, Adv.

St.of Maharashtra: Mr. Anirudha P. Mayee, Adv

St.of Manipur: Mr.KH. Nobin Singh, Adv.

Mr. V.B.Joshi, Adv.  
Mr. Ravi Kini, Adv.

I.G.L.: Mr. Sidharth Yadav, Adv.  
Mr. Vikrant Yadav, Adv.  
for Mr. Praveen Swarup, Adv.

St.of Haryana: Mr. Manjeet Singh, Adv  
Mrs. Vivekta Singh, Adv  
Mr. Hariksh Singh, Adv  
Mr. Harikishan Kataria Adv  
Mr. Aanjay Rathee, Adv  
Mr. T.V. George, Adv.

St. of A.P.: Mr. M.P. Meharia, Adv.  
Mr. Manoj Saxena, Adv.  
Mr. Amit Meharia, Adv.  
Mr. S.K. Mitra, Adv.  
Mr. Debojit Borkakati, Adv.

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Mr. Sandeep Narain, Adv.  
Ms. Anjali Jha, Adv.

D.T.C.: Mr. S Wasim A Quadri, Adv  
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Ms. A.Subhashini, Adv.

Ranchi Assn.: Mr. Bhavanishankar V. Gadnis, Adv.  
Mrs. Sunita B. Rao, Adv.  
Mr. Nitin Popli, Adv.

St. of UP: Mr. R.G. Padia, Sr.Adv.  
Ms. Savitri Pandey, Adv.  
Mr. Kamleendra Mishra, Adv.  
Mr. Rajeev Kumar Dubey, Adv.  
Ms. Rashmi Singh, Adv.

Mr. D.N. Goburdhan, Adv.

Mr. V.B. Saharya, Adv.  
for M/s. Saharya & Co., Advs.

Mrs. Indra Sawhney, Adv.

Mrs. Manik Karanjawala, Adv.

TELCO: Ms. Nandini Gore, Adv  
Ms. Pragya Singh Baghel, Adv  
Ms. Manik Karanjawala, Adv

For Applicant HPCL: Mr. Parijat Sinha, Adv  
Mr. Snehasish Mukherjee, Adv  
Mr. S.C. Ghosh, Adv  
Mr. Mrinal Kanti Mandal, Adv.

For applicant in IA 244: Mr. Prashant Bhushan, Adv  
Mr. Vishal Gupta, Adv  
Mr. Rohit Kumar Singh, Adv  
Mr. Sumeet Sharma, Adv  
Ms. Parul Kaur Majethia, Adv

Rajasthan: Mr. Aruneshwar Gupta, Addl. Adv. Genl.  
Mr. Naveen Kumar Singh, Adv

For SIAM: Mr. Shri Narain, Adv  
Mr. Saneep Narain, Adv  
Ms. Anjali Jha, Adv

NHAI: Mr. V.B. Joshi, Adv.  
Mr. Ravi Kimi, Adv  
Mr. Krishan Kumar, Adv

Mr. Pradeep Dhingra, Adv  
Mr. Sunit Gupta, Adv

for NCRPB:  
(IAS 182, 183, 238) Ms. Sheel Sethi, Adv

Mr. Anis Ahmed Khan, Adv  
Mr. L.K. Pandey, Adv  
Mr. S.B. Upadhyay, Adv  
Mr. S.R. Sethia, Adv  
Mr. Sanjay Parikh,

Bihar:  
(I.A. 1308 & 1359): Mr. Kumar Rajesh Singh, Adv

H.P: Mr. J.S. Attri, Addl. Adv. Genl.

M.P. : Mr. B.S. Banthia, dv  
(IA 1308) Mr. Vibha Datta Makhija, Adv  
Mr. Sakesh Kumar, Adv

Mr. A. Mariaputham, Adv for

Mrs. Arputham, Aruna & Co.

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

The order passed by this Court on 11th March, 2005, on

considering the report filed by National Highway Authority

of India (NHAI), noted that the said Authority had started

the process for calling bids for appointment of consultants

for preparation of Project Report in re  
spect of

construction of Eastern Peripheral Expressway and that the

expert consultant viz. RITES had indicated the time schedule

for preparation of detailed Project Report for Eastern

Peripheral Expressway. The said time schedule is noted in

the order dated 11th March, 2005 stipulating that the time

is to reckon from the effective date of contract with DPR

consultant and the figures given therein are accumulative

period.

As far as Haryana State Industrial Development

Corporation is concerned, it has filed an affidavit of its

Executive Director detailing the progress made in respect of Western Pheripheral Expressway. One of the issues raised in that affidavit is about the amounts which, according to Haryana, are to be made available by Delhi Government. As per the affidavit, Delhi Government has been asked to provide a sum of Rs. 653 crores as their share to meet the cost of the land to be acquired for the Project. The officers from Haryana as well as Uttar Pradesh Government are present.

Learned counsel on instruction from officers from U.P. states that practically nothing seems to have been done from March by the UP Government till date under the impression that for Eastern Express Highway everything was required to be done by NHAI. They have assured the Court that full cooperation would be extended so as to see completion of this Project as per the schedule indicated in the orders already passed.

Having regard to the nature of the Project and the desirability of its completion within the stipulated period, we deem it expedient to appoint a Monitoring Committee to take all decisions whether be it in respect of technical or financial matter or any other matter in relation to the Projects in question. The Monitoring Committee shall comprise of Secretary of the concerned Ministry dealing with construction of Highways as its Chairperson with Chief Secretaries of U.P, Haryana and Delhi and Chairman, NHAI and Chairman, EPCA, Mr. Bhure Lal, as members of the Committee. We leave it to the Chairman of the Committee to appoint an appropriate officer to act as Member Secretary of the Monitoring Committee. The Monitoring Committee shall file progress report giving up-to-date status in this Court every six weeks. The decisions taken by the Monitoring Committee shall be acted upon by all concerned States or agencies in connection with

the projects under construction. We give liberty to the  
Monitoring Committee to seek further direction from this  
Court, if need be.

The issues raised in the affidavit of Haryana State  
Industrial Development Corporation above referred, would  
also be considered by the Monitoring Committee. To  
consider the first report to be filed by the Monitoring  
Committee, the matter be listed on 28th October, 2005.

(Monoj Sen)

AR-cum-PS

(V.P. Tyagi)

Court Master