

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.182 IN WRIT PETITION (C) NO.13029 OF 1985

M.C.MEHTA

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

(For impleadment on behalf of State of Haryana)

With I.A. Nos.183 and 238 in I.A. No.151 in W.P. (C) No.13029 of 1985

(For directions on behalf of State of Haryana)

I.A. Nos.188-189 in Writ Petition (C) No.13029 of 1985

(For directions/impleadment on behalf of Delhi Traffic Police)

I.A. No.197 in Writ Petition (C) No.13029 of 1985

(For impleadment on behalf of M/s. Yamaha Motors (India))

I.A. No.213 in Writ Petition (C) No.13029 of 1985

(For directions and revocation of order dated 15/07/2002 filed by

Government of N.C.T. of Delhi)

(In the matter of : P.W.D., Government of N.C.T. of Delhi regarding
peripheral express way for Delhi)

I.A. No.240 in Writ Petition (C) No.13029 of 1985

(For impleadment)

[On behalf of Anusuchit Jain Bus Operators Union (Regd.)]

I.A. No.241 in Writ Petition (C) No.13029 of 1985

(For directions)

I.A. No.243 in Writ Petition (C) No.13029 of 1985

(For directions)

S.L.P. (C) No...../2000 (CC 6990-6991/2000)

(With appln.(s) for c/delay in filing SLPs)

I.A. No.179 in Writ Petition (C) No.13029 of 1985

(For directions with E.P.A. Report Nos.11 and 12)

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Salve, Sr. Adv. (A.C.) (N/P)

Mr. U.U. Lalit, Sr. Adv. (A.C.)

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|-------------------|------------------------------|
| For Applicant(s)/ | Mr. Neeraj Kumar Jain, Adv. |
| Petitioner(s) | Mr. Sanjay Singh, Adv. |
| | Ms. Kavita Wadia, Adv. |
| | Mr. J.P. Dhanda, Adv. |
| | Mr. D.S. Mahra, Adv. |
| | Mr. P. Narasimhan, Adv. |
| | Mr. P.V. Yogeswaran, Adv. |
| | Mr. Ashok H. Desai, Sr. Adv. |
| | Mr. R.G. Padia, Sr. Adv. |
| | Mr. R.K. Singh, Adv. |
| | Mr. Kamalendra Mishra, Adv. |
| | Mr. Rajeev Kumar Dubey, Adv. |
| | Ms. Rashmi Singh, Adv. |

For Respondent(s) Mr. M.C. Mehta, Adv.

Mr. V.B. Joshi, Adv.

Mr. Ravi Kini, Adv.

Mr. Krishan Kumar, Adv.

Mr. Sumit Gupta, Adv.

Mr. Sanjiv Sen, Adv.

Mr. Rajan Narain, Adv.

Mr. B.V. Balaram Das, Adv.

Ms. Sheil Sethi, Adv.

for MOE&F:

Mr. P.P. Malhotra, ASG.

Mr. Amitava Poddar, Adv.

Mr. Wasim A. Qadri, Adv.

Ms. Anil Katiyar, Adv.

Mr. Sri Narain, Adv.

Mr. Sandeep Narain, Adv.

Ms. Anjali Jha, Adv.

For D.T.C.:

Ms. A. Subhashini, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Dushyant Dave, Sr. Adv.

Mr. Sidharth Yadav, Adv.

Mr. Vikrant Yadav, Adv.

Mr. Praveen Swarup, Adv.

Ms. Indira Sawhney, Adv.

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for M/o Surface

Mr. P.P. Malhotra, Sr. Adv.

Transport:

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

Mr. C.V. Subba Rao, Adv.

Mr. B.K. Prasad, Adv.

For Delhi Police: Mr. S.W.A. Qadri,Adv.
Ms. Anil Katiyar,Adv.

For Deptt. of Mr. S.W.A. Qadri,Adv.
Transport: Ms. Anil Katiyar,Adv.

For P.W.D. : Mr. S.W.A. Qadri,Adv.
Ms. Anil Katiyar,Adv.
Ms. Manik Karanjawala,Adv.
Mr. Harsh Kumar Puri,Adv.
Mr. Ujjwal Banerjee,Adv.
Mr. S.K. Puri,Adv.
Mr. Shiv Gupta,Adv.
Ms. Priya Puri,Adv.
Mr. V.M. Chauhan,Adv.
Mr. Kh. Nobin Singh,Adv.
Mr. S. Biswajit Meitei,Adv.
Mr. Mukesh K. Giri,Adv.
Mr. Manoj Saxena,Adv.
Mr. Mohan Prasad Meharia,Adv.
Mr. S.K. Mittra,Adv.

UPON hearing counsel, the court made the following

O R D E R

(A) I.A. Nos.182-183, 188-189, 197, 213, 238 and 243:

We have perused the Report on Action Taken by a Committee headed by the Cabinet Secretary and attended by various senior officers, including the Chief Secretaries of the States of Delhi, Haryana and Uttar Pradesh, pursuant to the direction of this Court in regard

to the

construction of Western Peripheral Expressway and Eastern Expressway.
The learned counsel appearing for the States of Delhi, Haryana and Uttar Pradesh pray for short adjournment to respond to the Report.

List the matters on 11th February, 2005.

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(B) Report No.11 of E.P.C.A.:

The States of Uttar Pradesh and Haryana have still not responded to Report No.11 of the E.P.C.A. and the learned counsel appearing for these States seek further time. The learned counsel for the State of Haryana states that response will be filed during the course of the day. As prayed for, learned counsel for the State of Uttar Pradesh is granted two weeks' time to file the response.

List the matter thereafter.

(C) Report No.12 of E.P.C.A.:

Response to Report No.12 of the E.P.C.A. has not been filed by the Municipal Corporation of Delhi. Let the same be filed within three days. It is, however, stated by the learned counsel appearing for the Municipal Corporation of Delhi and Delhi Police that neither pre-warning sign boards have been installed in the States of Haryana and Uttar Pradesh about the orders made by this Court in respect of entry of vehicles nor any provision for U-Turn for the vehicles to revert back has been made. The learned counsel appearing for the States of Haryana and Uttar Pradesh pray for short adjournment to take instructions in this regard. We have no doubt that adequate steps in regard to aforesaid aspects would be taken by these States and for effective implementation of the orders of this Court.

List after two weeks.

Two weeks' further time is granted to the Delhi Government to file its response.

List the applications after filing of the response.

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I.A. No.179 in Writ Petition (C) No.13029 of 1985:

In the affidavit filed by Mr. Rajeev Talwar, Commissioner-cum-Secretary, Department of Transport, Government of Delhi, on loaded mode commission test, the view-point of the Automatic Research Association of India [A.R.A.I.], Pune has been re-produced. In this regard and also in respect of all other technical aspects, including lambda measurement to test the catalytic convertor, we feel it expedient to have the comments of E.P.C.A. The affidavit of Mr. Talwar be sent to E.P.C.A. for comments on various aspects dealt with therein.

List the matter on receipt of the response from E.P.C.A.

As regards parking policy, we direct the Delhi Government to convene a meeting with the senior officers of the Delhi Development Authority, Municipal Corporation of Delhi and New Delhi Municipal Council and file a report as to its action plan in regard to the parking policy, having regard to what has been stated in the E.P.C.A. report. The action plan report shall be filed within a period of four weeks.

[T.I. Rajput]

[V.P. Tyagi]

Court Master

Court Master