

ITEM NO.54+61

COURT NO.5

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

I.A. NO. 487/2017 in Writ Petition(s) (Civil) No(s).13029/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(FOR intervention on behalf of bajaj auto ltd.)

WITH

I.A.NO.491/2017 in Writ Petition(s) (Civil) No(s).13029/1985  
(FOR intervention)

APPLICANT: Bajaj Auto Ltd. (I.A.No.487/2017)

Hero Motocorp Ltd. (I.A. No.491/2017)

Date : 20/03/2017 These applications were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv. (A.C.)  
Ms. Aparajita Singh, Adv. (A.C.)  
Mr. A.D.N. Rao, Adv. (A.C.)  
Mr. Siddhartha Chowdhury, Adv. (A.C.) (NP)  
Petitioner-in-person

For Respondent(s) Mr. Ranjit Kumar, SG  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Zaid Ali, Adv.  
Mr. G.S. Makker, AOR

Bajaj Auto Mr. Kapil Sibal, Sr. Adv.  
Mr. Mihir Joshi, Adv.  
Mr. Kaushik Poddar, AOR

Hero Motocorp Mr. K.K. Venugopal, Sr. Adv.  
Mr. Neil Hildreth, Adv.  
Mr. Rahul Jain, Adv.  
Mr. Kishore Kunal, AOR  
Mr. Sparsh Bhargava, Adv.

Mr. Anupam Mishra, Adv.

Dr. A.M. Singhvi, Sr. Adv.  
Mr. Sandeep Narain, Adv.  
Mr. Avishkar Singhvi, Adv.  
for M/s. S. Narain & Co.

Mr. Debojit Borkakati, Adv.

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Mr. Gopal Jain, Sr. Adv.  
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Mrs. Nandini Gore, Adv.  
Ms. Tahira Karanjawala, Adv.  
Ms. Natasha Sehrawat, Adv.  
Mr. Mandeep Kalra, Adv.  
Mrs. Manik Karanjawala, Adv.

Ms. Nandini G., Adv.  
Mr. Mudit Sharma, Adv.

Mr. Vijay Sondhi, Adv.  
Cauveri Birbal, Adv.  
Mr. Arnav Shamyal, Adv.  
Ms. Sujeeta Srivastava, Adv.

Mr. Dhruv Mehta, Adv.  
Mr. Kamaldeep Dayal, Adv.  
Ms. Garima Prasad, Adv.

Mr. B.V. Gadnis, Adv.

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

Issue notice on both the applications.

Before taking a decision on the applications pending before us, i.e., I.A. No.487/2017 and I.A. No.491/2017, we would like the Society of Indian Automobile Manufacturers to provide us the following details:

- (i) the stock in hand with each of the manufacturers of BS-III two-wheelers, three-wheelers, four-wheelers,

trucks and commercial vehicles as on 31<sup>st</sup> December, 2015.

(ii) thereafter, the details of the quantity of the BS-III vehicles manufactured and sold on a month to month basis from 1<sup>st</sup> January, 2016 until today.

The Society of Indian Automobile Manufacturers will also indicate on affidavit the BS-III unsold vehicles of each manufacturer as on date and the date(s) on which the BS-III vehicles were actually manufactured.

Learned *amicus curiae* says that he will be moving a formal application that there should not be any sale or registration of BS-III vehicles on or after 1<sup>st</sup> April, 2017.

For the convenience of learned counsel as well as this Court, learned *amicus curiae* will give a compilation of the relevant notifications as well as the decisions to Dr. Abhishek Manu Singhvi, learned senior counsel for the Association within two days who will in turn pass it on to the members of the Society of Indian Automobile Manufacturers.

List the applications on 24<sup>th</sup> March, 2017.

(SANJAY KUMAR-I)  
AR-CUM-PS

(SHARDA KAPOOR)  
COURT MASTER