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ITEM NO.21+35

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

RECORD OF PROCEEDINGS

I.A.NO.340/2012 & I.A. No.351/2013 in

Writ Petition(s)(Civil) No(s).13029/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR MODIFICATION OF COURT'S ORDER DATED 25.4.2008 AND OFFICE REPORT)

Date : 21/02/2017 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.)(NP)

Mr. Siddhartha Chowdhury, Adv. (A.C.)(NP)

Mr. A.D.N. Rao, Adv. (A.C.)

Ms. Aparajita Singh, Adv. (A.C.)

Petitioner-in-person

For Respondent(s) Mr. Ranjit Kumar, SG

Mr. S. Wasim A. Qadri, Adv.

Mr. Deepak Goel, Adv.

Mr. Amit Sharma, Adv.

Mr. R.K. Rathore, Adv.

Mr. Vibhu Sankar Mishra, Adv.

Mr. Raj Bahadur Yadav, Adv.

Mr. Ajay Sharma, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. S.N. Terdal, AOR

CPCB Mr. Vijay Panjwani, AOR

UPON hearing the counsel the Court made the following

O R D E R

Learned Solicitor General says that he would like to press I.A. No.340 of 2012 and I.A. No.351 of 2013.

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We have heard learned Solicitor General as well as learned amicus curiae .

In a batch of IAs. that were heard and disposed of on 28 th

August, 2009, reported in (2009) 17 SCC 59, it was held inter alia as follows:

â- S 9. Since DMRC accepts the technical parameters and specifications set out in the Advertisement Policy of EPCA without any qualifications, this Court need not pass any further order in this connection. The acceptance of the technical parameters and specifications of the Advertisement Policy by DMRC is taken note of.

10. In case MCD or NDMC raises any demand against DMRC for revenue sharing or gives it any notice for removal of any advertisement(s) put up on the DMRC land on grounds that no prior permission was accorded by the municipal bodies or it was not in conformity with the Policy specifications or for any other reason, it will always be open to DMRC to seek its remedies before an appropriate forum and in accordance with law.â- \235

Learned Solicitor General and learned amicus curiae say that if the above are followed by the Railways, nothing further will survive in these applications.

Learned Solicitor General says that this would be applicable to the Railways across the board.

In view of the above, nothing further survives in these applications which are disposed of in terms of paragraph 9 and 10 of the above report mutatis mutandis .

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER