

ITEM NO.14

COURT NO.4

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 8414/2022

(Arising out of impugned final judgment and order dated 27-01-2015 in WP(C) No. 5768/2014 passed by the High Court Of Delhi At New Delhi)

GOVERNMENT OF NCT OF DELHI & ANR.

Petitioner(s)

VERSUS

M/S SANTOSH INFRATECH PRIVATE LIMITED & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.205691/2022-CONDONATION OF DELAY IN FILING and IA No.205692/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.205693/2022-EXEMPTION FROM FILING O.T. and IA No.205694/2022-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

WITH

Diary No(s). 10132/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.1179/2023-CONDONATION OF DELAY IN FILING and IA No.1180/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.1181/2023-EXEMPTION FROM FILING O.T. and IA No.1182/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10222/2022 (XIV)

(IA No.272/2023-CONDONATION OF DELAY IN FILING and IA No.274/2023-EXEMPTION FROM FILING O.T. and IA No.275/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10221/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.1220/2023-CONDONATION OF DELAY IN FILING and IA No.1223/2023-EXEMPTION FROM FILING O.T. and IA No.1225/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10213/2022 (IV-C)

(FOR ADMISSION and I.R. and IA No.465/2023-CONDONATION OF DELAY IN FILING and IA No.469/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.470/2023-EXEMPTION FROM FILING O.T. and IA No.468/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 8556/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.1059/2023-CONDONATION OF DELAY IN FILING and IA No.1067/2023-EXEMPTION FROM FILING O.T. and IA No.1065/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 14591/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.661/2023-CONDONATION OF DELAY IN FILING and IA No.667/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.664/2023-EXEMPTION FROM FILING O.T. and IA No.662/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 15707/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.980/2023-CONDONATION OF DELAY IN FILING and IA No.983/2023-EXEMPTION FROM FILING O.T. and IA No.985/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10218/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.4/2023-CONDONATION OF DELAY IN FILING and IA No.5/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.6/2023-EXEMPTION FROM FILING O.T. and IA No.7/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10476/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.742/2023-CONDONATION OF DELAY IN FILING and IA No.744/2023-EXEMPTION FROM FILING O.T. and IA No.745/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 15710/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.1002/2023-CONDONATION OF DELAY IN FILING and IA No.1003/2023-EXEMPTION FROM FILING O.T. and IA No.1004/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10473/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.1151/2023-CONDONATION OF DELAY IN FILING and IA No.1152/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.1154/2023-EXEMPTION FROM FILING O.T. and IA No.1150/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 15623/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.1011/2023-CONDONATION OF DELAY IN FILING and IA No.1015/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.1017/2023-EXEMPTION FROM FILING O.T. and IA No.1014/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 14594/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.520/2023-CONDONATION OF DELAY IN FILING and IA No.522/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.523/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 15940/2022 (XIV)
(FOR ADMISSION and I.R. and IA No.328/2023-CONDONATION OF DELAY IN FILING and IA No.329/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.339/2023-EXEMPTION FROM FILING O.T. and IA

No.327/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 14597/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.1035/2023-CONDONATION OF DELAY IN FILING and IA No.1036/2023-EXEMPTION FROM FILING O.T. and IA No.1038/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 10474/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.1026/2023-CONDONATION OF DELAY IN FILING and IA No.1028/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.1029/2023-EXEMPTION FROM FILING O.T. and IA No.1027/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Diary No(s). 15575/2022 (XIV)

(FOR ADMISSION and I.R. and IA No.1100/2023-CONDONATION OF DELAY IN FILING and IA No.1104/2023-EXEMPTION FROM FILING O.T. and IA No.1103/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 13-01-2023 These petitions were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE C.T. RAVIKUMAR**

**For Petitioner(s) Mr. Atul Kumar, AOR
Ms. Sweety Singh, Adv.
Mr. Rahul Pandey, Adv.
Ms. Archana Kumari, Adv.
Mr. Rajiv Ranjan, Adv.
Mr. Rajiv Sharma, Adv.
Mr. Karnik Rajat, Adv.
Ms. Rachita Kadyan, Adv.
Mr. Avs Kadyan, Adv.**

For Respondent(s)

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

It is the case on behalf of the petitioners that, in some of the cases, the possession of the land in question was already taken over and even the compensation was deposited in the treasury and in some of the cases the possession could not be taken due to the stay order and/or pending litigation.

It is submitted that, while passing the impugned judgment and order(s), the High Court has relied upon the decision of this Court

in the case of Pune Municipal Corporation and Another vs. Harakchand Misirimal Solanki and Others reported in (2014) 3 SCC 183, which has been subsequently overruled by the Constitution Bench of this Court in the case of Indore Development Authority vs. Manoharlal & Ors. Etc. reported in 2020 (8) SCC 129.

Issue notice on the application(s) for condonation of delay as well as on the Special Leave Petitions, returnable on 27.02.2023.

Dasti, in addition, is permitted.

Respondents be served within a period of 10 days from today.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR