

ITEM NO.9 Court 6 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1057/2020

M/S. FERROUS TOWNSHIP PVT. LTD. & ANR. Petitioner(s)

VERSUS

THE STATE OF HARYANA & ORS. Respondent(s)
IA No. 92089/2020 - STAY APPLICATION)

WITH

W.P.(C) No. 1097/2020 (X)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 112320/2021
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 141945/2021

W.P.(C) No. 1209/2020 (X)
IA No. 105970/2020 - CLARIFICATION/DIRECTION)

Date : 25-01-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Preetesh Kapur, Sr. Adv.
Mr. Shaunak Kashyap, Adv.
Ms. Nistha Gupta, Adv.
M/S. Mitter & Mitter Co., AOR

Ms. Niharika Ahluwalia, AOR

Mr. Abhimanyu Bhandari, Adv.
Ms. Rooh-e-hina Dua, AOR
Mr. Arav Pandit, Adv.

For Respondent(s) Mr. K.M. Nataraj, Ld. ASG
Mr. Akshay Amritanshu, Adv.
Ms. Swati Ghildiyal, Adv.
Ms. Meera Patel, Adv.
Mr. Raj Bahadur, AOR
Mr. Amrish Kumar, AOR

Mr. K. K. Venugopal, Sr, Adv.
Mr. Alok Sangwan, Sr. AAG
Mr. B.K. Satija, AAG
Mr. Kaushik Poddar, AOR
Mr. Vaibhav Gaggar, Adv.
Ms. Isha Mital, Adv.
Ms. Sumedha Dang, Adv.

Mr. Vidur Mohan, Adv.
Mr. Ketan Sarraf, Adv.
Ms. Tishya Saran, Adv.
Mr. Sumit Kumar Sharma, Adv.
Mr. Anurag Kulharia, Adv.
Mr. Sandeep, Adv.
Dr. Monika Gusain, AOR

Mr. Alok Sangwan, Sr. AAG
Mr. Sumit Kumar Sharma, Adv.
Dr. Monika Gusain, AOR

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

Writ Petition(s)(Civil) No(s). 1057/2020

Learned counsel has drawn our attention to the order dated 16.03.2021 and submits that the Writ Petition was segregated from the SLPs only on aspect of some interim relief. He submits that he would not press for the interim relief and this matter also be tagged with SLP [C] No.5459/2016 & connected matters.

Ordered accordingly.

IA 112320/2021 and IA 141945/2021 FOR APPROPRIATE ORDERS/DIRECTIONS IN W.P.(C) No. 1097/2020

After hearing learned counsel for parties for some time, Mr. Alok Sangwan, learned AAG assisting Mr. Krishnan Venugopal, learned senior counsel, states that in the given peculiar facts and circumstances of this case, the prayer of the petitioner seeking adjustment against other licenses instead of forfeiture can be examined on the basis of the amendment in the Haryana Development Regulation of Urban Areas Act, 1975 (HDRUA

Act) as the notification dated 04.03.2021 even though his submission remains that the amendment should have prospective application. This is being only agreed to as peremptory interim measure which will be subject to the final view to be taken by this Court on the aspect of prospective application or retrospective application of the amendment. We order accordingly the adjustment as an interim measure in terms aforesaid.

At the request of learned counsel for the petitioner, we consider it appropriate to call upon the respondents to consider grant of occupancy certificate of the petitioner for the project in question, if otherwise eligible.

Needless to say, as already stated above, that this will not give a cause for multifarious applications predicated on this order by third parties.

The application stands disposed of.

The needful be done within six weeks.

W.P.(C) No. 1097/2020

The matter now be heard with SLP [C] No.5459/2016 & connected matters as the aspect of interim relief in terms of the aforesaid order has been dealt with now.

W.P.(C) No. 1209/2020

A letter for adjournment has been circulated as learned counsel for the petitioner is indisposed.

List on 23.02.2022 for consideration of interim relief, if any.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)