

ITEM NO.21

COURT NO.4

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

Writ Petition(s)(Civil) No(s).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

[1] INTERLOCUTORY APPLICATION NO. 138805/2017

[REPORT OF CENTRAL EMPOWERED COMMITTEE IN APPLICATION NO. 1414 OF 2017 FILED BEFORE IT BY THE SOUTH DELHI MUNICIPAL CORPORATION (SDMC)]

IN RE : SOUTH DELHI MUNICIPAL CORPORATION (SDMC)

Date : 24-04-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

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

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

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

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

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

For Petitioner(s)

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG

Mr. D.L. Chidananda, Adv.

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

Mr. Ritesh Kumar, Adv.

Mr. G.S. Makker, Advocate

Mr. Zaid Ali, Adv.

Mr. Amrish Kumar Sharma, Adv.

Mr. Ravindra Bana, Adv.

Ms. Gargi Khanna, Adv.

Mr. Baij Nath Patel, Adv.

Mr. Divya Prakash Pande, Adv.

Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. S. Wasim Qadri, Adv.
Mr. Praveen Swarup, Adv.
Mr. Ameet Singh, Adv.
Mr. Ajay Kumar Giri, Adv.

Mr. Haris Beeran, AOR

MR. B.K. PRASAD, AOR

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

Affidavit filed on behalf of East Delhi Municipal Corporation

We have gone through the affidavit filed on behalf of East Delhi Municipal Corporation with regard to disposal of Solid Waste.

The learned Amicus has drawn our attention to order dated 15.02.2000 passed by this Court which required landfills sites to be identified within a period of three weeks. However, the needful has not been done even after the passage of 17 years.

It is stated by the learned ASG that it appears that landfills sites have been identified by the DDA.

No one is present on behalf of the DDA because DDA is not a party to these proceedings.

Issue notice to Mr. V.B. Saharya, standing counsel for the DDA returnable on 04.05.2018 so that there is some identification of landfills sites and handing over its possession.

It is submitted by the learned ASG that the waste and garbage in Bhalswa and Gazipur can propose to be used for construction of roads. He says that some understanding has been reached with the NHAI in this regard.

No one is present on behalf of the NHAI to advise us in the matter.

Issue notice to M/s K.V. Kini & Associates, standing counsel for the NHAI and to the Chief Engineer, NHAI.

The Chief Engineer, NHAI should be present in the Court on the next date of hearing (04.05.2018) to assist us in the matter.

Affidavit filed on behalf of North Delhi Municipal Corporation

The learned Amicus has drawn our attention to the affidavit filed by North Delhi Municipal Corporation particularly on the subject of sanitary landfill sites at Bhalswa, North Delhi Municipal Corporation. It appears that discussions are going on with the Concessionaire, M/s DMSWSL.

It appears that the issue is only with one of payment to be made.

To sort out this issue, we direct the appearance of the Project Director of M/s DMSWSL. The Project Director of M/s DMSWSL and the senior officer of the NDMC should be present in the Court on the next date of hearing (04.05.2018).

Report of the CEC filed by the South Delhi Municipal Corporation (SDMC)

In terms of the Report of the CEC, a total amount of Rs.21.08 crores (which is 5% of the costs) has been paid by the SDMC to the Ridge Management Board Fund.

In view of the above, nothing further survives in this application.

The application is allowed.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

ITEM NO.21

COURT NO.4

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

Writ Petition(s)(Civil) No(s).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

IN RE : ILLEGAL USE OF FOREST LAND FOR MINING IN JABALPUR, MADHYA
PRADESH

[1] [i] INTERLOCUTORY APPLICATION NO. 1246-1247
[APPLICATIONS FOR DIRECTION AND IMPLEADMENT]WITH

[ii] INTERLOCUTORY APPLICATION NO. 1349, 1446, 1447, 3504,
3505[RECOMMENDATION OF CEC IN I.A.NOS. 1246-1247, EXEMPTION FROM
FILING O.T. AND CONDONATION OF DELAY IN FILING AFFIDAVIT]WITH

[iii] INTERLOCUTORY APPLICATION NO. 1378-1380 AND
1502[APPLICATIONS FOR DIRECTIONS, STAY AND EXEMPTION FROM FILING
O.T.]WITH

[iv] INTERLOCUTORY APPLICATION NO. 2299-2300[APPLICATIONS FOR
IMPLEADMENT AND DIRECTIONS]WITH

[v] INTERLOCUTORY APPLICATION NO. 2652-2653, 2866-
2867[APPLICATIONS FOR DIRECTIONS, PERMISSION TO FILE ADDITIONAL
DOCUMENTS AND EXEMPTION FROM FILING O.T.]WITH

[vi] INTERLOCUTORY APPLICATION NO. 2952-2953[APPLICATIONS FOR
VACATING STAY AND EXEMPTION FROM FILING O.T.]WITH

[vii] INTERLOCUTORY APPLICATION NO. 2954-2956[APPLICATIONS FOR
IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.]WITH

[viii] INTERLOCUTORY APPLICATION NO. 3406-3408[APPLICATIONS
FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.]WITH

[ix] INTERLOCUTORY APPLICATION NO. 3462[APPLICATION FOR
IMPLEADMENT]WITH

[x] INTERLOCUTORY APPLICATION NO. 3513-3514, 3517-3518, 3536-
3537[APPLICATIONS FOR INTERVENTION, DIRECTIONS, PERMISSION TO FILE
ADDITIONAL DOCUMENTS AND EXEMPTION FROM FILING O.T.]WITH

[xi] INTERLOCUTORY APPLICATION NO. 3519-3520[APPLICATIONS FOR
INTERVENTION AND DIRECTIONS]WITH

[xii] INTERLOCUTORY APPLICATION NO. 3521-3522[APPLICATIONS FOR INTERVENTION AND DIRECTIONS]WITH

[xiii] INTERLOCUTORY APPLICATION NO. 3583-3584[APPLICATIONS FOR INTERVENTION AND DIRECTIONS]WITH

[xiv] INTERLOCUTORY APPLICATION NO. 3925-3926[APPLICATIONS FOR DIRECTIONS AND EXEMPTION FROM FILING O.T.]AND

[xv] CONTEMPT PETITION (C) NO. 390/2012 WITH INTERLOCUTORY APPLICATION NO. 1[APPLICATION FOR STRIKING OUT THE NAME OF ALLEGED CONTEMNOR NO. 1]

Date : 24-04-2018 This petition was called on for hearing today.

CORAM :

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

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

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

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

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

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

For Petitioner(s) Mr. Prashant Bhushan, Adv.
Mr. Badri Prasad Singh, Adv.

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. D.L. Chidananda, Adv.
Mr. S.W.A. Qadri, Adv.
Mr. Ritesh Kumar, Adv.
Mr. G.S. Makker, Advocate
Mr. Zaid Ali, Adv.
Mr. Amrish Kumar Sharma, Adv.
Mr. Ravindra Bana, Adv.
Ms. Gargi Khanna, Adv.
Mr. Baij Nath Patel, Adv.
Mr. Divya Prakash Pande, Adv.
Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. S. Wasim Qadri, Adv.

Mr. Praveen Swarup, Adv.

Mr. Ameet Singh, Adv.

Mr. Ajay Kumar Giri, Adv.

Mr. Haris Beeran, AOR

MR. P. Narasimhan, AOR

Mr. Saurabh Mishra, AAG
Mr. Arjun Garg, AOR
Mr. Aakash Nandolia, Adv.

Mr. Harsh Pathak, Adv.
Mr. Neeraj Shekhar, AOR
Mr. Siddharth Shukla, Adv.
Mr. Mohit Choubey, Adv.
Ms. Shaveta Mahajan, Adv.

M/S Lawyers' Knit And Co.,

Mr. Ajit Pudussery, AOR

Ms. Sharmila Updadhay, AOR

Mr. Santosh Mishra, Adv.
Mr. Dharmendra Kumar Sinha, AOR
Mr. Dinesh Deopura, Adv.

Mr. Badri Prasad Singh, AOR

Mr. R.C. Kohli, AOR

Ms. Pragati Neekhra, AOR
Mr. Suryanarayan Singh, Adv.

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

List the applications and contempt petition tomorrow
(25.04.2018).

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.21

COURT NO.4

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

Writ Petition(s)(Civil) No(s).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

[3][i] INTERLOCUTORY APPLICATION NO. 930[RECOMMENDATION OF CEC
IN I.A.Nos. 659 AND 669]WITH

[ii] INTERLOCUTORY APPLICATION NO. 967[SUO MOTU APPLICATION
PURSUANT TO ORDER DATED 25.08.2003 PASSED IN I.A.No. 930 Re:
ENCROACHMENT UPON THE FOREST LAND IN MATHERAN]WITH

[iii] INTERLOCUTORY APPLICATION NO. 1285[APPLICATION FOR
EXTENSION OF TIME]

IN RE : DESTRUCTION OF FORESTS IN MATHERAN, MAHARASHTRA WITH

[iv] INTERLOCUTORY APPLICATION NO. 1788
[REPORT OF CEC IN APPLICATION NO. 901]IN RE : BOMBAY ENVIRONMENTAL
ACTION GROUP (BEAG) REGARDING MATHERAN ECO SENSITIVE ZONE
NOTIFICATION

Date : 24-04-2018 This petition was called on for hearing today.

CORAM :

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

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

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

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

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

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

For Petitioner(s)

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. D.L. Chidananda, Adv.

Mr. S.W.A. Qadri, Adv.
Mr. Ritesh Kumar, Adv.
Mr. G.S. Makker, Advocate
Mr. Zaid Ali, Adv.
Mr. Amrish Kumar Sharma, Adv.
Mr. Ravindra Bana, Adv.
Ms. Gargi Khanna, Adv.
Mr. Baij Nath Patel, Adv.
Mr. Divya Prakash Pande, Adv.
Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. S. Wasim Qadri, Adv.
Mr. Praveen Swarup, Adv.
Mr. Ameet Singh, Adv.
Mr. Ajay Kumar Giri, Adv.

Mr. Haris Beeran, AOR

MR. NISHANT R. KATNESHWARKAR, AOR

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

We have heard learned *amicus curiae* and have also gone through the counter affidavit filed on behalf of the Ministry of Environment, Forest and Climate Change.

It appears that the proposal for declaring the area near Matheran as an eco-sensitive zone was issued way back in 2003 after considering all objections.

In view of the above, nothing survives in these applications. They are accordingly disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.21

COURT NO.4

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

Writ Petition(s)(Civil) No(s).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

[4][i] INTERLOCUTORY APPLICATION NO. 43275/2018[APPLICATION FOR IMPLEADMENT]

WITH[ii] INTERLOCUTORY APPLICATION NO. 43282/2018[APPLICATION FOR DIRECTIONS]

WITH[iii] INTERLOCUTORY APPLICATION NO. 43284/2018[APPLICATION FOR EXEMPTION FROM FILING O.T.]

IN RE : AD-HOC COMPENSATORY AFFORESTATION FUND MANAGEMENT AND PLANNING AUTHORITY (AD-HOC CAMPA)

Date : 24-04-2018 This petition was called on for hearing today.

CORAM :

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

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

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

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

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

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

For Petitioner(s)

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. D.L. Chidananda, Adv.
Mr. S.W.A. Qadri, Adv.
Mr. Ritesh Kumar, Adv.
Mr. G.S. Makker, Advocate
Mr. Zaid Ali, Adv.

Mr. Amrish Kumar Sharma, Adv.
Mr. Ravindra Bana, Adv.
Ms. Gargi Khanna, Adv.
Mr. Baij Nath Patel, Adv.
Mr. Divya Prakash Pande, Adv.
Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. S. Wasim Qadri, Adv.
Mr. Praveen Swarup, Adv.
Mr. Ameet Singh, Adv.
Mr. Ajay Kumar Giri, Adv.

Mr. Haris Beeran, AOR

MR. P.K. MANOHAR, AOR

MRS. ANIL KATIYAR, AOR

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

Exemption from filing O.T. granted.

List the applications on 10th May, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER