

(2010) 08 SC CK 0018

In the Supreme Court Of India

Case No : I.A. No"s. 460, 467 and 468 in Writ Petition (C) No. 13381 of 1984,
I.A. No"s. 490-492 in Writ Petition (C) No. 13381 of 1984, S.L.P.
(C) ...CC No. 12071 of 2005, SLP (C) No. 18974 of 2005, I.A. No"s.
493-494 in I.A. No"s. 490-492 in Writ Petition (C)

M.C. Mehta

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 27-08-2010

Acts Referred:

Citation : (2011) 5 SCALE 135

Hon'ble Judges : H. L. Dattu, J;D. K. Jain, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. List the petition for preliminary hearing on 8th November, 2010.

I.A. Nos. 493-494 in I.A. Nos. 490-492 in W.P.(C) No. 13381/1984

2. Mr. Ashok Desai, learned Senior Counsel appearing for the applicants, submits that although these applications, seeking permission/approval of this Court for construction of Yamuna Express, through the TTZ area, have been filed, but according to him, as such no permission is required to be obtained. In the light of the stand of learned Counsel for the applicants, these applications are dismissed.

I.A. No. 495 in I.A. Nos. 490-492 in W.P.(C) No. 13381/1984

3. In view of the order passed in I.A. Nos. 493-494 in I.A. Nos. 490-492 in W.P. (C) No. 13381/1984, no orders are called for in this application. The same stands disposed of accordingly.

I.A. No. 490-492 in W.P.(C) No. 13381 of 1984

4. Mr. Ashok Desai, learned Senior Counsel appearing for the applicant submits that although these applications, seeking permission to remove/cut 5025 trees

along side the alignment of Yamuna Express falling in TTZ area have been filed, but according to him, no order has been passed by this Court in Writ Petition (C) No. 13381 of 1984, which mandates the applicant to seek such permission.

5. Mr. Krishan Mahajan, learned amicus curiae prays for some time to examine the stand of the applicant in the light of the earlier orders passed by this Court and assist us on the issue. It is however, agreed that in the meantime all the trees in question shall be identified and numbered. As soon as the exercise is completed, an intimation to that effect will be given to the learned amicus curiae. Thereafter, the learned amicus curiae along with the members of the Centrally Empowered Committee shall inspect each of these marked trees and submit report before the next date. List the applications on 24th September, 2010.

I.A. Nos. 460, 467 and 468 in W.P.(C) No. 13381/1984

6. List on 24th September, 2010.