
(2012) 01 SC CK 0003

In the Supreme Court Of India

Case No : I.A. No. 22 in Writ Petition (C) No. 4677 of 1985, I.A. No's. 2531 of 2011 in I.A. No's. 2505-2506 in I.A. No. 22 in Writ Petition (C) No. 4677 of 1985, I.A. No. 2536 in I.A. No. 2531 in I.A. No. 22 in Writ Petition (C) No. 4677 of 1985, I.A. No. 2532 i

M.C. Mehta

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 03-01-2012

Acts Referred:

Citation : (2012) 1 SCALE 729 : (2012) 11 SCC 758

Hon'ble Judges : Swatanter Kumar, J;G.S. Singhvi, J

Bench : Division Bench

Final Decision : Allowed

Judgement

1. After hearing Shri Ranjit Kumar, learned amicus on Report No. 85 and related issues and considering the submissions made by other Learned Counsel, we deem it proper to hear the main matter involving challenge to the validity of the law enacted by Parliament and the notifications issued by the Central Government.

2. List the case on 13.3.2012. It is expected that on that day no request will be made for adjournment.

3. Till the matter is heard by the Court, the Monitoring Committee shall not order further sealing of the premises which are under its scrutiny.

4. We also direct that no construction, temporary or permanent, shall be made on the premises which have been subject matter of scrutiny of the Monitoring Committee and no order shall be passed by the Government or any authority regularising such construction or sanction the change of user.

5. The Delhi Development Authority, New Delhi Municipal Corporation and Municipal Corporation of Delhi are directed to ensure that no encroachment is made on any public land, whether belonging to the Government or any public

authority. They shall also ensure that no illegal construction is made on any of the properties which has been subject matter of scrutiny by the Monitoring Committee.

6. The Monitoring Committee shall be entitled to inspect the premises in which any illegal construction may have been made after this order or any encroachment on public land or regularisation and if necessary submit report to this Court.

7. Any person desirous of getting a copy of any report of the Monitoring Committee may make an application to the Monitoring committee and the required report be furnished to the applicant within a period of ten days on payment of usual charges.

8. It is also made clear that any party shall be free to file an appropriate application before the Monitoring Committee for its consideration and appropriate order.

I.A. Nos. 2518-2521:

9. Shri M.N. Krishnamani, learned senior counsel appearing for the applicants state that in view of the developments which have taken place after the last order of the Court, the applications have become infructuous and the same may be disposed of as such.

10. In view of the statement of learned senior counsel, IA Nos. 2518-2521 are disposed of as infructuous. We hope and trust that the order passed by the Monitoring Committee will be implemented at the earliest.