

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NOS. 1670/2017
IN
CIVIL APPEAL NO(S).1132/2011

RESIDENTS WELFARE
ASSOCIATION PREM NAGAR (REGD.) ... PETITIONER (S)

VERSUS

MINISTI S. & ORS. ... RESPONDENT (S)

O R D E R

1. By order dated 11.09.2017 instead of issuing notice in the present contempt petition we had directed that a copy of the contempt petition be furnished to the learned counsels for the State of Uttar Pradesh and the Ghaziabad Development Authority to enable the learned counsels to obtain necessary instructions in the matter.

2. Pursuant thereto instructions have been received by the learned counsels which have been laid before the Court.

3. On behalf of the authority of the State of Uttar Pradesh, it has been stated that part of the land in question i.e. about 8000 sq.yard is the subject matter of certain

claims of Bhumidars, which claims are being at presently looked into by the authorities by the District Administration. It has been further stated that nearly 2000 sq.yard of land belonging to Gram Panchyat, is free from any encroachments.

4. Before us is an order of the High Court dated 19.01.2017 passed in Public Interest Litigation No.1868 of 2017 concerning the same park i.e. Prem Nagar (Nehru Park), which is to the following effect :

"Counsel for the petitioner submits that the petitioner would be satisfied if direction is issued to the second respondent to examine the petitioner's allegation of encroachment over Nehru Park and if it is found to be correct, direction may be issued to remove the encroachment and restore the park to its original position. Petition is disposed of with direction to the second respondent to look into the grievance of the petitioner and if it is found to be correct, he shall take the appropriate action expeditiously and, in any case, within a period of three months from the date of receipt of this order. Petitioner is directed to produce copy of this order along with copy of

the writ petition and its annexures before the second respondent within then days from today."

5. In view of the above facts, we do not see any justification to entertain this contempt petition any further. Accordingly, we leave the parties to the remedies as may be available to them in law in light of the facts recorded above.

6. Contempt Petition is, accordingly, closed in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(NAVIN SINHA)

NEW DELHI
OCTOBER 27, 2017

ITEM NO.27

COURT NO.3

SECTION IV

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

CONTEMPT PETITION (C) NOS. 1670/2017

IN

CIVIL APPEAL NO(S).1132/2011

RESIDENTS WELFARE ASSOCIATION PREM NAGAR(REGD.) Petitioner(s)

VERSUS

MINISTI S. & ORS. Respondent(s)

(FOR ADMISSION and IA No.78973/2017-EXEMPTION FROM FILING O.T.)

Date : 27-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Kaushal Yadav, AOR
 Mr. Nandlal Kumar Mishra, Adv.
 Mr. Ajay Singh, Adv.
 Mr. R.K. Singh, Adv.
 Ms. Sunita Yadav, Adv.

For Respondent(s) Mr. Vinay Garg, AOR
 Mr. Upendra Mishra, Adv.

Mr. Rakesh Uttamchandra Upadhyay, AOR

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

Application for exemption from filing official
translation is allowed.

Contempt petition is closed in terms of the
signed order.

(NEETU KHAJURIA)
COURT MASTER

(ASHA SONI)
BRANCH OFFICER

(Signed order is placed on the file.)