

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

Miscellaneous Application No. 2058-2059/2023 in CONMT.PET.(C) No. 455-456/2022 in CONMT.PET.(C) No. 1505-1506/2017 in SLP(C) No. 10375-10376/2017

ANITA GOEL AND ORS.

Petitioner(s)/
Applicant(s)

VERSUS

GYANESH BHARATI (IAS)

Respondent(s)

(FOR ADMISSION and IA No.133553/2023-CLARIFICATION/DIRECTION)

WITH

MA 2056-2057/2023 in CONMT.PET.(C) No. 457-458/2022 in CONMT.PET.
(C) No. 1505-1506/2017 in SLP(C) No. 10375-10376/2017

(FOR ADMISSION and IA No.129243/2023-CLARIFICATION/DIRECTION)

Date : 04-12-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Krishnamohan K., AOR
Dania Nayyar, Adv.
Ms. Yamini Sharma, Adv.
Ms. Kiran Bhardwaj, AOR

For Respondent(s) Mr. Ashwani Kumar, AOR
Ms. Iti Sharma, Adv.
Mr. Puneet Sharma, Adv.
Mr. Anshay Dhatwalia, Adv.

Mr. Nishit Agrawal, AOR

Mr. K.M. Nataraj, A.S.G. (N.P.)
Mr. Mukesh Kumar Maroria, AOR
Mr. Sharath Nambiar, Adv.
Mr. Akshey Amritanshu, Adv.
Mr. Praneet Pranav, Adv.
Mrs. Diksha Rai, Adv.
Mrs. Arunima Dwivedi, Adv.
Mr. Navanjay Mahapatra, Adv.

Mr. Shreekant Neelappa Terdal, AOR
Mr. Wajeeh Shafiq, AOR
Mr. Gurmeet Singh Makker, AOR

Mr. Nitin Mishra, AOR
Mr. Ishaan Sharma, Adv

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

We have perused the affidavit filed by Mr. P. Dinesh, Chief Town Planner of the Municipal Corporation of Delhi. It is stated that the application made in terms of clause (d) of paragraph 12 of the judgment and order dated 08th May, 2019 of this Court, has been placed before the Layout Scrutiny Committee (LOSC) and that the same has been approved by the said Committee.

It is also stated that the Standing Committee has not been constituted in terms of Section 45 of the Delhi Municipal Corporation Act, 1957 (for short, "the Act"). The contention raised in the affidavit is that the permission cannot be granted as it is ultimately the power of the Standing Committee under Section 313 of the Act to grant approval.

We have perused Section 45 of the Act.

We direct the Commissioner of the Municipal Corporation to file an affidavit stating whether he had placed the subject of constitution of the Standing Committee either before the first meeting of the Corporation or any subsequent meetings of the Corporation. We also call upon him to file an affidavit giving names and other particulars of the members of the last Standing Committee which was in existence. Such affidavit shall be filed within a period of one week from today.

List on 11th December, 2023

**(ASHISH KONDLE)
COURT MASTER (SH)**

**(AVGV RAMU)
COURT MASTER (NSH)**