

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION(CIVIL) NO.725/1994

NEWS ITEM"HINDUSTAN TIMES"A.O.F.M.YAMUNA

VERSUS

CENTRAL POLLUTION CONTROL BOARD & ANR Respondent (s)

(with appln.(s) for directions and impleading party and modification/clarification of Court's order dated 11.12.2001 and office report)

WITH

I.A. Nos. 20 & 21 in WP(C) NO. 4677/1985
(M.C. Mehta vs. Union of India & Ors.)
with
I.A. Nos. 1207, 1183, 1216 and 1251 (with office report)

WITH

IA No. 26 in WP(C) No. 725/1994
(for intervention)

Date : 20/02/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

in WP(C) No. 725/1994 and@@
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 IAs in WP(C) No.4677/1985@@
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Amicus Curiae : Mr. Ranjit Kumar, Sr. Adv.

For appearing parties :

Mr. M C Mehta, Adv. (NP)

Union of India	Mr. Mukul Rohtagi, ASG
	Mr. Krishan Mahajan, Adv.
	Mr. K C Kaushik, Adv.
	Mr. R N Poddar, Adv.
	Mr. S.N. Terdol, Adv.(NP)
	Ms. Anil Katiyar, Adv.(NP)
	Mr. B V Balramdas, Adv.(NP)

CPCB Mr. Vijay Panjwani, Adv.

for Development Mr. D N Goburdhun, Adv.
Commnr. Ms. Pinky Anand, Adv.

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Govt. of NCT, Delhi	Ms. Geeta Luthra, Adv. Mr. D N Goburdhun and Ms. Pinky Anand, Advs.
MCD	Mr. Mukul Rohtagi, ASG Ms. Indra Sawhney, Adv.
DPCC	Mr. R.C. Verma, Adv. Ms. Neeta Sinha, Adv. Mr. Mukesh Verma, Adv.
DDA	Mr. Vishnu B Saharya, Adv. for M/s. Saharya & Co., Advs.
Delhi Jal Board.	Mr. R S Suri, Adv. Mr. Jagjit S Chhabra, Adv.
for NCRP Board	Ms. Sheil Sethi, Adv.0 0
M/s.Ashoka Distillery	Mr. Ajay Varma, Adv. Mr. Pavan Kumar, Adv. Mr. Ejaz Maqbool, Adv. for for Maqbool, Mishra & Co., Advs.
Haryana State PCB & Haryana State	Mr. Aditya Kumar Chaudhary, Adv. Mr. J P Dhanda, Adv. Ms. Raj Rani Dhanda, Mr. K P Singh, Mr. Dhan Singh Nagar, Advs.
State of U.P.	Mr. Ajay K Agrawal, Adv. Ms. Alka Agrawal, Adv. Mr. C Siddharth, Adv.
UP PCB	Mr. Pradeep Misra, Adv.
Municipal Corpn.,Gzb.	Mr. Sudhir Kulshreshtha, Adv. Mr. Anil Kumar Sharma, Adv.
GDA	Mr. Girish Chandra, Adv.
NOIDA	Mr. Ashok K Srivastava, Adv.
for applicant in IA 26 in WP 725	Mr. R.K. Jain, Sr. Adv. M/s S.K. verma, Ms. Minoti Mukherjee, Naveen Kumar, Gopal Krushna, M K Choudhary, Ms. Ranjana Narayan and Mr. Ashutosh Kumar, Advs. Mr. R K Maheshwari, Adv.(NP) Mr. Ravindra Bana, Adv.(NP) Ms. Hemantika Wahi, Adv. M/s. Lawyers Associates, Advs.(NP) Ms. Naresh Bakshi, Adv.(NP) Mr. S K Mehta, Adv. (NP)

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Mr. M L Lahoty, Adv.(NP)

Mr. M K Diwakaran Nambordiri, Adv.(NP)

Mr. Prashant Chaudhary, Adv.(NP)

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

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It is stated that affidavit on behalf of the Union of India, Ministry of Environment in furtherance of the order dated 4th December, 2001 will be filed within two weeks. Needful be done.

I.A. No. 26 : Issue notice.

I.A. No. 25 : Union of India will file an affidavit indicating as to how many residential buildings or those buildings whose plans were passed for residential purposes even if they are now being used for commercial purposes, exist in the MCD area where the total height is in excess of 12.5 metres which is the maximum height under the proposed amendment. The affidavit be filed within four weeks.

M.C.D. is also directed to file within four weeks from today an affidavit indicating as to what it intends to do for stopping the gross misuse of the buildings in the residential areas which are being used for commercial purposes as has been directed by this Court's order dated 31st July, 2001. If no affidavit is filed, an explanation in respect thereof should be given to the Court by the Municipal Commissioner.

To come up on 2nd April, 2002.

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(D.P. WALIA)

(S.L. GOYAL) @@

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