

ISSUE-1

4. Amendment No. 19 to MPD 2021 permits coaching centres and tuition centres in all colonies planned and developed prior to 1962 including A and B category Colonies even on a 9m ROW. This makes 1962 an important cut off date.
5. Annexure 1 to Chapter 15 of MPD 2021 gives a List of Pre 1962 Built Up Residential Colonies. The List does not include Kailash Colony. My Late father purchased B-42 Kailash Colony, a 516 sq yds plot from DLF in 1953 i.e 5 ½ yrs after partition since all our landed and residential properties were left in Pakistan. It was Registered in 1957. The List may kindly be amended to include Kailash Colony as a pre 1962 plotted developed Colony.

ISSUE-2.

6. A and B Category colonies are required to have a minimum road width of 18 m for other activities as specified in para 15.7.2. of MPD 2021. Kailash Colony, a Category 'B' Colony is a pre 1962, regular plotted developed colony where the maximum road width on any road inside the colony is 15m only. This implies that other than coaching centres and tuition centres no other public / semi-public activity can be conducted in Kailash Colony even though it may have been functional well before 7/2/2007. This appears discriminatory, specially so, when coaching centres are permitted even on a 9m roadwidth in 'A' and 'B' Category Colonies. A coaching centre is far more noise polluting than a Salon and Spa. I therefore request that this requirement of 18m ROW may kindly be reduced to 15m / 9m ROW for category B colonies. Alternatively, Salons and Spas may kindly be bracketed along with coaching centres and tuition centres in Amendement No.19 to MPD 2021 so that they could also function from a 9m roadwidth.

ISSUE – 3.

7. Amendment No. 25 to MPD 2021 now permits Gymnasiums / Yoga and Meditation Centres to function from all floors including Basements. Salons , Spas and Weight Loss Centres are similar in nature to Gymnasiums and Yoga Centres. In my opinion Gymnasiums and Yoga Centres need a lot of fresh air as compared to Salons and Spas which need a peaceful and quiet environment. I therefore request that Salons and Spas must be bracketed along with Gymnasiums and Yoga Centres in Amendment No. 25 to MPD 2021 so that they could also function from Lower Ground Floors (Basements).
8. It would be pertinent to mention that a large number of other activities including professional activities are permitted in Lower Ground Floors (Basements). A Salon and Spa is non polluting and needs peaceful and quiet surroundings. An air-conditioned Lower Ground Floor (Basement) is ideally suited for a Salon and Spa. The modifications proposed by me of reducing the roadwidth limitation in Category 'B' Colonies from 18m to 15m / 9m and of bracketing Salons and Spas with Gymnasiums / Yoga and Meditation centres in Amendment No.25 to MPD 2021 would give value addition to Salons and Spas functioning from Lower Ground Floors (Basements).

ISSUE – 4.

9. After the sealing of the Lower Ground Floor (Basement) on 07 Sep 2007, we were forced to move to a rented premises. The last rent inclusive of service tax paid by me was Rs. 2.20 Lacs approximately which I could not afford. Therefore, we from 01 April 2011 we had to close down the salon which we had run for 19 years. Because of our professionalism we had built a good brand name for Blushes and Blaze

98

over a period of 19 years in Kailash Colony and other surrounding areas. After closing the salon we are losing this brand name.

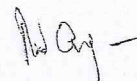
10. I understand that there have been further changes / proposed changes by the Ministry of Urban Development in MPD 2021 during the past 2 months. Establishments which were not sealed, for whatever reasons, earlier, can continue with their business till Dec 2014.
11. I was on the wrong side of law in Sep 2007 and my premises was sealed. As a soldier and a law abiding citizen I took it smilingly in my stride. I probably have only 4 to 5 years of working life left since I am already 68. In case your Honour finds my submissions reasonable and logical, I request you to grant me permission to reopen my salon in the Lower Ground Floor of B-42 Kailash Colony. If by Dec 2014 MPD 2021 as amended does not permit me then I will voluntarily close the salon. I would then be on a Level Playing Field with others who had managed to avoid sealing for some reason or the other. This would also make me financially stable at this stage in life.
12. It would be pertinent to mention that I had filed a case before The Hon'ble Supreme Court on this subject which was admitted on 02.012.2008. I argue in person and have personally appeared before The Hon'ble Supreme Court 5 times since the admission of the case. The Ministry of Urban Development has not filed a reply. The case is now listed on 13th March 2012. My case No. is IA No. 2364 and 2365 of 2008 in IA No. 22 in Writ Petition (C) 4677/1985 'MC Mehta versus Union of India and others.

13. I have the following to request:-

- (a) I may kindly be granted permission to reopen my salon in the Lower Ground Floor of B-42, Kailash Colony, as requested in para 11 above.
- (b) I request that a favourable decision be given on Issues 1 to 4 above raised by me.
- (c) The next date of hearing on my case in The Hon'ble Supreme Court is 13th March 2012. I request that the concerned officer may kindly be directed to file a suitable reply to my application before that.

Thanking You,

Yours faithfully,



Colonel (Retd) R.K. NAYAR.

ITEM NO.MM-14

COURT NO.3

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGSI.A. NOS.2364 and 2365 of 2008 IN I.A. No.22 In
W.P.(CIVIL) NO.4677 OF 1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For intervention and directions)

Date: 02/12/2008 This Petition was mentioned today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Ranjit Kumar, Sr.Adv.(A.C.)(N.P.)

For Petitioner(s)

Mr. M.C. Mehta, (N.P.)
In-person

For Applicant(s)

Mr. R.K. Nayar, In-person

For Respondent(s)

Mr. Praveen Swarup, Adv.]
Mr. D.N. Goburdhan, Adv.]
M/s. Saharya & Co.] N.P.
Mr. S.N. Terdal, Adv.]
Mr. Surya Kant, Adv.]UPON hearing counsel the Court made the following
ORDERList the matter before the Bench dealing with
sealing matters.(Madhu Saxena)
Court Master(Neena Verma)
AR-cum-PS

ITEM NO. 301 + 305

COURT NO. 4

SECTION -PIL

SUPREME COURT IN INDIA
RECORD OF PROCEEDINGS

I.A. NO.22 IN WRIT PETITION (CIVIL) NO. 4677 OF 1985

M.C. MEHTA

.... PETITIONER (S)

VERSUS

U.O.I. AND ORS.
(FOR DIRECTIONS)

.... RESPONDENT (S)

WITH

I.A.NO.2364-2365 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
(FOR INTERVENTION AND DIRECTION ON BEHALF OF COL.(RETD.) R.K. NAYAR IN PERSON)I.A.NO.2332-2333 IN I.A.NO.22 IN W.P.(C) NO.4677/1985
FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF KUBER NIVESH KARYA KALYAN
SAMITI)I.A.NO.2366 IN I.A. 2191 IN W.P.(C) NO.4677/1985
(FOR DIRECTIONS ON BEHALF OF UTPALA MUKHERJEE)I.A.NOS.2362-2363 IN I.A. 22 IN @ W.P.(C) NO.258/08
(VIDE COURT'S ORDER DATED 21.10.2008]
(FOR DIRECTIONS EXEMPTION FROM FILING O/T ON BEHALF OF JAI PAL SINGH & ORS.)I.A.NOS. 2350-2351 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT AND DIRECTION ON BEHALF OF WILD LIFE PROTECTION SOCIETY)I.A.NOS. 2353-2354 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT AND DIRECTION ON BEHALF OF ABHIJEET CHATTERJEE & ORS)I.A.NO.2352 IN I.A.NO.2272-2273 IN W.P.(C) NO. 4677/1985
(FOR PERMISSION TO FILE ADDL. DOCUMENTS ON BEHALF NIRULA HANDICRAFT)I.A.NO.2208-2209 IN W.P.(C) NO.4677/1985
(FOR DIRECTIONS AND IMPEADMENT)W.P(C)No.263/2006
(WITH APPLN.(S) FOR STAY AND DIRECTIONS AND IMPEADMENT AND NTERVENTION
AND IMPEADMENT/DIRECTIONS AND EXEMPTION TO FILE ADDL. DOCUMENTS AND
APPLN. FOR PERMISSION TO FILE ADDL. DOCUMENTS
AND EXEMPTION FROM FILING O.T. AND OFFICE REPORT)

-2-

W.P(C)No.264/2006
(WITH APPLN.(S) FOR STAY AND AMENDMENT OF PRAYER PORTION AND OFFICE REPORT)W.P(C)No.563/2006
(with office report)W.P(C)No.569/2006 L
(WITH APPLN.(S) FOR DIRECTIONS AND OFFICE REPORT)W.P(C)No.610/2006
(WITH APPLN.(S) FOR INTERIM DIRECTIONS AND OFFICE REPORT)W.P(C)No.464/2006
(WITH APPLN.(S) FOR EX-PARTE STAY AND MODIFICATION OF COURT'S ORDER AND STAY
AND OFFICE REPORT)W.P(C)No.266/2006
(WITH APPLN.(S) FOR INTERVENTION AND OFFICE REPORT)

W.P.(C)No.450/2006

(WITH APPLN.(S) FOR EX-PARTE STAY AND PERMISSION AND AMENDMENT OF PRAYER PORTION FOR INTERVENTION AND URGENT CLARIFICATION/DIRECTION AND OFFICE REPORT)

W.P.(C)No.470/2006

(WITH APPLN.(S) FOR EX-PARTE STAY AND IMPEADMENT AND OFFICE REPORT)

W.P.(C)No.212/2008

(WITH APPLN.(S) FOR AD-INTERIM EX-PARTE STAY AND OFFICE REPORT)

W.P.(C)No.229/2008

I.A.NO.2272-2273 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS ON BEHALF OF NIRURA HANDICRAFTS BAZAR (PVT.) LTD.

I.A.NO.2191 IN W.P.(C)NO.4677/1985

(FOR IMPEADMENT ON B/O UTPALA MUKHERJEE & ORS.)

I.A.NO.2322 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS)

I.A.NO.2001-2001A IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS ON B/O CTC PLAZA)

I.A.NO.2043 IN W.P.(C)NO.4677/1985

(FOR C/DELAY IN FILING REPLY)

I.A.NO.2031-2032&2065 IN W.P.(C)NO.4677/1985

(FOR INTERVENTION/DIRECTION AND EARLY HEARING)

-3-

I.A.NO. 2064 IN W.P.(C)NO.4677/1985

(FOR INTERVENTION)

I.A.NO.2070-2071 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS)

I.A.NO.2072-2073 IN W.P.(C)NO.4677/1985

(FOR INTERVENTION AND STAY)

(ON B/O DDA MARKET JOINT COMMITTEE)

I.A.NO. 2082 IN W.P.(C)NO.4677/1985

(ON B/O SOCIETY FOR INNOVATIVE EDN. AND DEVLPMT. (EMP) BUSINESS SCHOOL

I.A.NO.2092-2093 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS AND INTERVENTION)

(ON B/O EMPI STUDENTS FORUM EMPI BUSINESS SCHOOL)

I.A.NO.2094-2095 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS AND INTERVENTION)

(ON B/O ALL INDIA PERSONALITY ENHANCEMENT CULTURAL SCHOOL)

I.A.NO.2096-2097 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS AND INTERVENTION)

(ON B/O ALL INDIA PERSONALITY ENHANCEMENT CULTURAL SCHOOL)

I.A.NO. 2098 IN W.P.(C)NO.4677/1985

FOR DIRECTIONS AND INTERVENTION)

(ON B/O ALL INDIA PERSONALITY ENHANCEMENT CULTURAL SCHOOL)

I.A.NO.2099-2100 IN W.P.(C)NO.4677/1985

(FOR DIRECTIONS AND PERMISSION TO FILE APPLN. FOR DIRECTIONS)

(ON B/O DOLPHIN INTERNATIONAL LTD.)

I.A.NO.2111 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS ON B/O MR. ALOK SHUKLA & ORS.)

I.A.NO. 2112 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS AND STAY)
(ON B/O AJAY KR. VALI)

I.A.NO. 2113 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS AND STAY)
(ON B/O MR. KAMLENDRA MISHRA & ANR.)

I.A.NO.2114, 2130 & 2131 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS AND PERMISSION TO FILE ADDL. AFFIDAVIT/DOCUMENTS)
(ON B/O SUPREME COURT BAR ASSN.)

-4-

I.A.NO. 2115 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O MR. DINESH KR. MITTAL)

I.A.NO. 2125 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS)
(ON B/O VIKAS MARG VYAPARI MANDAL)

I.A.NO.2126 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)

I.A.NO. 2127 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS AND STAY)
(ON B/O DELHI UNION OF JOURNALISTS & ORS.)

I.A.NO.2153-2154 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O INDIAN INSTITUTE OF PLANNING MGMT. AND ANR.)

I.A.NO.2156-2157 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O CHOCO WHEEL)

I.A.NO. 2158 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS)
(ON B/O MCD)

I.A.NO.2159-2160 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O MAHABIR SINGH)

I.A.NO. 2161 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O DELHI TOURISM AND TRANSPORT DEVLPT. CORPN. & ORS.)

I.A.NO.2162-2163 & 2206-2207
(FOR DIRECTIONS AND STAY AND EARLY HEARING)
(ON B/O BANARSI DAS CHANDIWALA SEWA S. TRUST SOCIETY & ANR.)

I.A.NO.2178-2179 & 2271
(FOR DIRECTIONS AND STAY AND EARLY HEARING)
(ON B/O BANARSI DAS CHANDIWALA SEWA S. TRUST SOCIETY & ANR.)

I.A.NO.2181-2182 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS/IMPEADMENT)
(ON B/O FED. OF NARAINA VIHAR RESIDENTS WELFARE ASSN.)

-5-

I.A.NO. 2185 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS ARISINT OUT OF MONITORING
COMMITTEE REPORT NO. 43 VIDE CT. ORDER DT. 08.10.2007 REGARDING
RAJ VIDYA KENDRA

I.A.NO.2189-2190 IN W.P(C)NO.4677/1985
(FOR INTERVENTION/DIRECTIONS)
(ON B/O LEMEN INTERTIONALAL PVT. LTD.)

I.A.NO. 2192-2193 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT & DIRECTION ON B/O DEFENCE COLONY LALA LAJPAT RAI
MARKET WELFARE ASSOCIATION)

I.A.NO. 2194 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT & DIRECTION ON B/O VIDHATA ESTATE)

I.A.NO. 2197 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT & DIRECTION ON B/O LALA LAJPAT RAI MARG ENTERPRISES)

I.A.NO. 2200 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O SUNITA GUPTA)

I.A.NO. 2201-2202 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT & DIRECTIONS)
(ON B/O FED. OF DELHI TRADERS ASSN.)

I.A.NO. 2227-2229 IN W.P(C)NO.4677/1985
{FOR IMPEADMENT, DIRECTION AND MODIFICATION OF COURT'S ORDER
DT. 11.12.2007}
(ON B/O KANCHHID MAL & ORS.)

I.A.NO. 2235-2236 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS)
(ON B/O MOHD. SULTAN SALALUDDIN @ URSHI)

I.A.NO. 2239-2241 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS AND EXEMPTION)
(ON B/O MUKESH KR.)

I.A.NO. 2242-2244 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS AND EXEMPTION FROM FILING O.T.)
(ON B/O SEEMA ATTRI)

I.A.NO. 2245-2247 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS AND EXEMPTION FROM FILING O.T)
(ON B/O SHAILENDRA KR. KASANA)

-6-

I.A.NO. 2248-2249 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS)
(ON B/O D.K. DUTTA)

I.A.NO. 2250-2251 & 2283 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O S.R. BANSAL & ORS.)

I.A.NO. 2257-2258 IN W.P(C)NO.4677/1985
(FOR IMPEADMENT AND DIRECTIONS)
(ON B/O ARJUN KR. MANGIA)

A.NO.2263 & 2264A IN W.P(C)NO.4677/1985
(FOR DIRECTIONS/IMPLEADMENT)
(ON B/O A.P. REAL (ESTATES)

I.A.D.No.28970/2008 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS)
(ON B/O M/S. JINDAL (I) LTD.

I.A.NO.2276 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS)
(ON B/O MS. MADHU SINGH)

I.A.NO. 2280-2281 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS)
(ON B/O DR. VANDANA SHIVA & ORS.)

I.A.NO.2284 & 2305 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS)
(ON B/O SAGA DEPT. STORE LTD.)

I.A.NO. 2285 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS AND STAY)
(ON B/O WRITERS & PUBLISHERS LTD. & ANR.)

I.A.NO. 2289 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS)
(ON B/O MODI APPOLLO INTERNATIONAL)
I.A.NO. 1958 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS ON B/O U.O.I)

I.A.NO. 2311-2312 IN W.P.(C) NO. 4677/1985
(FOR IMPLEADMENT/DIRECTION)
(ON B/O ACTION AID ASSN.(NGO)

-7-

I.A.NO. 2297-2298 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION/DIRECTION)
(ON B/O TARUN BANGA)

I.A.NO. 2259 IN IA No. 2026 IN W.P.(C) NO. 4677/1985
(FOR DIRECTION)
(ON BEHALF OF ALL INDIA DIGAMBAR JAIN SOCIETY)

I.A.NO.2199 IN W.P(C)NO.4677/1985
(FOR IMPLEADMENT AND DIRECTIONS ON B/O M/S. INDIAN CARPETER CENTRE)

I.A.NO.2279 IN W.P(C)NO.4677/1985
(FOR DIRECTIONS ON B/O PROGRAMME FOR SOCIAL ACTION, MALVIYA NAGAR)

I.A.NO.2286-2287 IN W.P(C)NO.4677/1985
(FOR INTERVENTION AND DIRECTIONS ON BEHALF OF VIJAY GUPTA)

I.A.NO.2260-2261 IN W.P(C)NO.4677/1985
(FOR IMPLEADMENT AND DIRECTIONS ON B/O M/S. D.S.C. ARCHITECTS & ENGINEERS PVT.
LTD. & ORS.)

I.A.NO.2226 & 2265 IN W.P(C)NO.4677/1985
(FOR INTERVENTION/DIRECTIONS & EXTN. OF TIME ON B/O M/S. TRANS ASIA INDUSTRIES
EXPOSITION (P) LTD.)

I.A.NO.2208-2209 IN W.P(C)NO.4677/1985

15

(FOR IMPEADMENT/DIRECTIONS ON B/O M/S. SUNRYDGE INDIA HERITAGE PVT. LTD.)

I.A.NO.2180 & 2256 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS ON B/O DELHI PRADESH CITIZEN COUNCIL)

I.A.NO.2212-2213 IN W.P(C)NO.4677/1985

(FOR IMPEADMENT & DIRECTIONS ON B/O SHANNO DEVI)

I.A.NO.2214-2215 IN W.P(C)NO.4677/1985

(FOR IMPEADMENT/DIRECTIONS ON B/O MS. SEEMA SETHI)

I.A.NO.2216-2217 IN W.P(C)NO.4677/1985

(FOR IMPEADMENT/DIRECTIONS ON B/O A.K. RAINA)

I.A.NO.2173 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS ON B/O RESIDENTS IN REGULAR PLOTTED DEVELOPMENT AREA IN DELHI)

-8-

I.A.NO.2170-2172 IN W.P(C)NO.4677/1985

(FOR INTERVENTION/DIRECTIONS AND EXEMPTION FROM FILING C/C OF ANNEXURES ON B/O INDIAN GYM FEDERATION)

I.A.NO.2069-2069A IN W.P(C)NO.4677/1985

(FOR DIRECTIONS AND STAY ON B/O DELHI PRADESH CITIZEN COUNCIL)

I.A.NO.2138 IN W.P(C)NO.4677/1985

(FOR IMPEADMENT AND DIRECTIONS ON B/O SMALL TRADERS ASSN.)

I.A.NO.2084 IN W.P(C)NO.4677/1985

(FOR MODIFICATION OF COURT'S ORDER DT. 23.11.06 ON B/O COMMISSIONER OF POLICE, DELHI)

I.A.NO.2083 IN W.P(C)NO.4677/1985

(FOR IMPEADMENT & DIRECTIONS ON B/O SOUTH EXTN. PART-I MARKET ASSN.)

I.A.NO.2085-2086 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS/INTERVENTION ON B/O M/S. STEELCO PVT. LTD.)

I.A.NO.2088-2089 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS/INTERVENTION)

I.A.NO.2290-2291 IN W.P(C)NO.4677/1985

(FOR INTERVENTION/DIRECTIONS ON B/O JAWAHARLAL NEHRU SPORTS TRUST)

I.A.NO. 2230 IN W.P(C)NO.4677/1985

(FOR IMPEADMENT/DIRECTIONS ON B/O FRIENDS OF RAJAURI GARDEN EXTN.)

I.A.NO.2221-2221A IN W.P(C)NO.4677/1985

(FOR IMPEADMENT/DIRECTIONS ON B/O TRANS YAMUNA TRADERS ASSN.)

I.A.NO.2051-2052,2060 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS AND INTERVENTION AND PERMISSION TO FILE ADDL. DOCUMENTS)

I.A.NO.2057-2058 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS AND IMPEADMENT)

I.A.NO. 2059 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS ON B/O MCD)

I.A.NO. 2061-2062 IN W.P(C)NO.4677/1985

(FOR DIRECTIONS AND IMPEADMENT ON BEHALF OF MR. K.V. BHARTHI UPADHYAY)

I.A.NO. 2299-2300 IN W.P. (C) NO. 4677/1985

(FOR INTERVENTION/DIRECTION)

-9-

I.A.NO. 2323-2324 IN W.P.(C) NO. 4677/1985
(FOR DIRECTION)

I.A.NO. 2316-2317 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION/DIRECTION)
(ON B/O GURDEEP SINGH)

I.A.NO. 2318-2319 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION/DIRECTION)
(ON B/O MAX NEWYORK LIFE INSURANCE)

I.A.NO. 2320-2321 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION/DIRECTION)
(ON B/O NILESH GUPTA)

I.A.NO. 2301-2302 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION)
(ON B/O MUKESH GOEL)

I.A.NO. 2303-2304 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION/DIRECTION ON BEHALF OF BSF)

I.A.NO. 2187 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON B/O VANSI PROPERTIES PVT. LTD)

I.A.NO.2204 IN I.A 2187 IN W.P.(C) NO. 4677/1985
(FOR PLACING ON RECORD ADDL. FACTS ON BEHALF OF VANSI PROPERTIES PVT. LTD.)

I.A.NO.2325, 2326 & 2327 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON BEHALF OF APPLICANT, DIRECTION AND EXEMPTION FROM
FILING O/T ON BEHALF OF MR. VED PRAKASH)

I.A.NO.2328 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION AND DIRECTION ON BEHALF OF PANCHSHILA CO-OP. HOUSE
BUILDING SOCIETIES)

I.A.D.NO. 38956/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON B/O A.P.P INDUSTRIES OF APPLICANT AND FOR DIRECTION)

I.A.D.NO. 39804/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON B/O RATHORE AUTO INDUSTRIES OF APPLICANT
AND FOR DIRECTION)

I.A.D.NO. 39018/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON B/O VENUS AUTO INDUSTRIES OF APPLICANT AND
FOR DIRECTION)

-10-

I.A.D.NO. 39801/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON B/O P.K. ELECTRO-MECH. OF APPLICANT AND FOR DIRECTION)

I.A.D.NO. 38936/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON B/O B.S. STAMPING WORKS OF APPLICANT AND
FOR DIRECTION)

I.A.D.NO. 39014/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT ON B/O SAI ENTERPRISES OF APPLICANT AND FOR DIRECTION)

I.A.D. NO.39809/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION)
(ON B/O GUPTA INDUSTRIES OF APPLICANT)

I.A.D.NO. 81951/2007 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT AND DIRECTIONS ON B/O GAURI KUMAR)

I.A.D.NO. 21744/2007 IN W.P.(C) NO. 4677/1985

(FOR DIRECTION ON B/O HARISH CHANDRA & ORS.)

I.A.D.NO. 34785/2007 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON B/O KHADI VILLAGE INDUSTRIES)

I.A.D.NO. 28926 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON B/O RAM GHAR SHOP KEEPERS WELFARE ASSN.)

I.A.D.NO. 43913 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTIONS ON INDIAN COTTAGE AND INDUSTRIES)

I.A.D.NO. 70577/2006 IN W.P.(C) NO. 4677/1985
(FOR DIRECTIONS ON B/O DR. B.P. SHARMA)

I.A.D.NO. 6436 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTIONS ON B/O RAM PRAKASH GUPTA & ORS.)

I.A.D.NO.45168 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT AND DIRECTIONS AND EXEMPTION FROM FILING
CERTIFIED COPY OF ORDER ~ON BEHALF OF IDEA ESTATE PVT.LTD.)

RP NO. 952/2007 IN I.A. NO. 1981-1982
(ON BEHALF OF M/S. AVENETS)

W.P(C)No.263/2006
(WITH APPLN.(S) FOR STAY AND DIRECTIONS AND IMPEADMENT AND INTERVENTION
AND IMPEADMENT/DIRECTIONS AND EXEMPTION TO FILE ADDL. DOCUMENTS AND
APPLN. FOR PERMISSION TO FILE ADDL. DOCUMENTS AND EXEMPTION FROM FILING O.T.
(AND OFFICE REPORT)

-11-

W.P(C)No.264/2006
(WITH APPLN.(S) FOR STAY AND AMENDMENT OF PRAYER PORTION AND OFFICE REPORT)

W.P(C)No.563/2006
(WITH OFFICE REPORT)

W.P(C)No.569/2006
(WITH APPLN.(S) FOR DIRECTIONS AND OFFICE REPORT)

W.P(C)No.610/2006
(WITH APPLN.(S) FOR INTERIM DIRECTIONS AND OFFICE REPORT)

W.P(C)No.464/2006 S
(WITH APPLN.(S) FOR EX-PARTE STAY AND MODIFICATION OF [COURT'S ORDER AND STAY
AND OFFICE REPORT)

W.P(C)No.266/2006
(WITH APPLN.(S) FOR INTERVENTION AND OFFICE REPORT)

W.P(C)No.450/2006
(WITH APPLN.(S) FOR EX-PARTE STAY AND PERMISSION AND AMENDMENT OF PRAYER
PORTION AND OFFICE REPORT)

W.P(C)No.470/2006
(WITH APPLN.(S) FOR EX-PARTE STAY AND IMPEADMENT AND OFFICE REPORT)

W.P(C)No.212/2008
(WITH APPLN.(S) FOR AD-INTERIM EX-PARTE STAY AND OFFICE REPORT)

WITH
LETTER DATED 16.7.2008 RECD. FROM HON'BLE D.P. WADHWA RETD. JUDGE,
SUPREME COURT OF INDIA

IN
WP(C) 196/2001

(C) 229/2001

I.A.NO. 2370-2371 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF SUMAN LATA JAIN)

I.A.NO. 2388-2389 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF JAIN MARBLES)

I.A.NO. 2394-2395 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF SMT.GAURA DEVI)

-12-

I.A.NO. 2398-2399 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF VINOD PALIA)

I.A.NO. 2400-2401 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF MEENA JAIN & ABHA JAIN)

I.A.NO. 2402-2403 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF AMIT SETH)

I.A.NO. 2407-2408 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF FATEH SINGH)

I.A.NO. 2409 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION ON BEHALF OF OCEAN STRUCTURE PVT. LTD.)

I.A.NO. 2410-2411 IN W.P.(C) NO. 4677/1985
(FOR INTERVENTION/DIRECTION ON BEHALF OF LIC)

I.A.NO. 2412-2414 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT/DIRECTION/STAY AND EXEMPTION FROM FILING O.T. ON BEHALF OF THE HEART CENTRE)

I.A.NO. 2372-2373 IN W.P.(C) NO. 4677/1985
(FOR PERMISSION TO FILE APPLN. FOR DE- SEALING AND DIRECTIONS ON BEHALF OF SMT. BENU DUA)

CONMT.PET.(Civil)No.176/2006 In W.P(C)No.4677/1985
(WITH APPLN.(S) FOR EXEMPTION FROM PERSONAL APPEARANCE)

CONMT.PET.(C)D.NO.21073/....I.A. NO.2161-2163 IN W.P(C)No.4677/1985
(ON BEHALF OF RWA NEW FRIENDS COLONY)

W.P(C)No.144/2009
(WITH OFFICE REPORT)

I.A.NO. 2416-2417 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF P.D. MEHTA)

I.A.NOS.2422-2423 IN W.P.(C) NO. 4677/1985
(FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF H.N. KUMRA)

With

I.A. NO. 2418-2419 IN W.P.(C) 4677/1985
(FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF PROMISE COACHING CENTRE)

I.A. NO. 2420-2421 IN W.P.(C) 4677/1985
(FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF KUMAON COAQCHING CENTRE)

-13-

I.A. NO. 2422-2423 IN W.P.(C) 4677/1985

(FOR IMPEADMENT AND DIRECTIONS ON BEHALF OF H.N. KUMAR)

I.A. 2425-2427 IN W.P.(C) 4677/1985

(FOR IMPEADMENT, DIRECTIONS AND STAY ON BEHALF OF GOMATH MANDIR (RELIGIOUS TRUST))

I.A. NO. 2391 WITH I.A. NO. 2286 IN W.P.(C) 4677/1985
(FOR DIRECTIONS)

I.A. NO. 2369 WITH I.A. 2185 IN W.P.(C) 4677/1985
(FOR DIRECTIONS)

I.A. 2331 WITH 2180 IN W.P.(C) 4677/1985
(FOR DIRECTIONS)

Date : 27/07/2009 These petitions were called for hearing today.

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE G.S. SINGHVI

For the appearing parties : Mr. Ranjit Kumar, Sr.Adv.(AC)
Mr. Kamal Gupta, Adv. (A.C.)
Petitioner in person in I.A. No.22 Mr. M.C. Mehta
Mr. V. K. Verma, Adv.

For applicants in I.A.No. 2416-2417, 2422-2423 Mr. M.N. Krishnamani, Sr.Adv.
Mr. Soumyajit Pani, Adv.
Mr. Sunil K. Jain, Adv.

For applicants in I.A.Nos. 2290-91 Mr. Viplav Sharma, Adv.
Mr. Amitg Kr. Chawla, Adv.
Mr. Sanjay R. Hegde, Adv.

For the applicants in I.A.Nos. Mr. P.S. Mishra, Sr. Adv.
2185, 2369 Mr. Anil Grover, Adv.
Mr. Hariom Kumar, Adv.
Mr. Arun Kr. Deriwal, Adv.

Mr. D.N. Goburdhan, Adv.

Mr. Praveen Swarup, Adv.

M/s Saharya & Co., Adv.

-14-

Mr. Surya Kant, Adv.

Mr. B.V. Balram Das, Adv.

Mrs. Shiel Sethi, Adv.

Mr. Ankur Gupta, Adv.

Mr. Tarun Johri, Adv.

Mr. D.S. Mahra, Adv.

Ms. Indra Jaising, ASG

Mr. W.A. Quadri, Adv.

Ms. Kiran Bhardwaj, Adv.
 Mr. MPS Tomar, Adv.
 Mr. SN Terdol, Adv.
 Ms. Anil Katiyar, Adv.

Mr. BK Prasad, Adv.

Mr. Rakesh K. Sharma, Adv.

I.A. No.2364-2365 in I.A. No.22 Applicants-in-person

Minakshi Arora, Adv.

Mr. N.S. Dalal, Adv.
 Mr. Rajinder, Adv.
 Mr. R.C. Kaushik, Adv.

M/s APJ Chambers, Adv.

Mr. M.P. Jha, Adv.

Mr. Chitranjan Addy, Adv.

Mr. Sushil Balwada, Adv.

Mr. Manik Karanjawala, Adv.

Mr. Shree Pal Singh, Adv.

Ms. Bina Gupta, Adv.

Mr. S.K. Bhattacharya, Adv.

Mr. Anil Aggarwal (in person)

-15-

M/s K.J. John & Co., Adv.

Mr. Maninder Singh, Adv.

Mr. Pradeep Kumar Bakshi, Adv.

Mr. A.S. Bhasme, Adv.

Mr. Goodwill Indeevar, Adv.

Mr. Sandeep Bhalla, Adv.

Mr. P.K. Manohar, Adv.

Mr. Sanjay Jain, Adv.

Mr. Naveen R. Nath, Adv.

Mr. Prakash Kr. Singh, Adv.

Ms. Kamakshi S. Mehalwal, Adv.

Mr. C.S. Ashri, Adv.

Mr. P.S. Mishra, Sr. Adv.
 Mr. Tathagat Hershvardhan, Adv.
 Mr. Upendra Mishra, Adv.
 Mr. Dhruv Kumar Mishra, Adv.

Mr. Ravi C. Prakash, Adv.
Mr. Manu Shankar Mishra, Adv.

W.P.(C)563/2006 Petitioner-in-person
Mr. R.D. Upadhyay, Adv.

Mr. Prashant Bhushan, Adv.

Mr. Mushtaq Ahmad, Adv.

M/s Law Associates, Advs.

W.P.(C)470/2006 Petitioner-in-person

Mr. Rohan Thawani, Adv.
Ms. Vandana Sehgal, Adv,
Mr. Hardeep Singh Anand, Adv.

-16-

Mr. M.C. Dhingra, Adv.

Mr. T. Anil Kumar, Adv.

Mr. Surya Kant, Adv.

Mr. Sanjay Rastogi, Adv.
Ms. Payal Jain, Adv.
Mr. Sandeep Aggarwal, Adv.
Mr. K.A. Singh, Adv.
Ms. Suruchhi Aggarwal, Adv.

Mr. Rakesh K. Kumar, Adv.

Mr. Harcharan Singh Balli, Adv.

Mr. Nafiz Ahmad Siddiqui, Adv.

Mr. Rajan Narain, Adv.

Mr. Devender Singh, Adv.

Mr. P.I. Jose, Adv.

Mr. R.N. Keswani, Adv.

Mr. Shankar Divate, Adv.

Mr. Vinay Garg, Adv.

Mr. L.R. Singh, Adv.
Mr. Arun K. Sinha, Adv.

Mr. R.P. Bhatt, Sr. Adv.
Ms. Anita Pandey, Adv.
Mr. Dinesh Kr. Tiwari, Adv.
Mr. Chandan Kumar, Adv.

Mr. Vishnu Sharma, Adv.

I.A.No.2181-2182 Mr. Satya Prakash(in person)

Mr. P.S. Mishra, Sr. Adv.
Mr. Sudhir Nandrajog, Adv.

Mr. Ashok Kr. Mahajan, Adv.

Mr. Anupam Lal Das, Adv.

-17-

Mr. G.V. Rao, Adv.

Mr. S. Akbar A. Abdi, Adv.

Mr. Kamendra Mishra, Adv.

Mr. P.S. Mishra, Sr. Adv.

Mr. M.S. Mishra, Adv.

Ms. Ruchi A. Mahajan, Adv.

Ms. Swarika Singh, Adv.

For Suresh A. Shroff & Co., Adv.

Ms. Sumita Hazarika, Adv.

Mr. Subramonium Prasad, Adv.

Mr. Nikhil Nayyar, Adv.

Mr. Chandan Ramamurthy, Adv.

Ms. Madhumita Bhattacharjee, Adv.

Ms. Soumya Kundu, Adv.

Mr. Avijit Bhattacharjee, Adv.

Mr. Rajeev K. Garg, Adv.

Mr. Goodwill Indeevar, Adv.

Mr. M.A. Chinnasamy, Adv.

Mr. Rajan Narain, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Ajay Sharma, Adv.

Mr. Navin Chawla, Adv.

Mr. Rauf Rahim, Adv.

Dr. (Mrs.) Vipin Gupta, Adv.

Ms. Purnima Bhat Kak, Adv.

Ms. Abha R. Sharma, Adv.

Mr. R.P. Singh, Adv.

Ms. Jyoti Mendiratta, Adv.

-18-

M/s K.L. Mehta, Adv.

Mr. Senthil Jegadeesan, Adv.

Mr. Deepak Kumar Jha, Adv.

Mr. N. Ganapathy, Adv.

Ms. Rachna Joshi, Adv.

Mr. Himanshu Shekhar, Adv.

Mr. Niraj Gupta, Adv.

Ms. Vibha Datta Makhija, Adv. (AC)

Mr. Shirish Kr. Mishra,

M/s Mitter & Mitter Co., Adv.

Mr. Arvind Minocha, Adv.

Mr. Varinder Kumar Sharma, Adv.

Mr. V.K. Sidharthan, Adv.

Mr. Jitendra Mohan Sharma, Adv.

Dr. Kailash Chand, Adv.

W.P. (C) 263/2006

Mr. Anil Aggarwal (in person)

W.P. (C) 264

Petitioner-in-person

Mr. M.C. Dhingra, Adv.

Ms. Minakshi Vij, Adv.

Mr. Prashant Chowdhary, Adv.

Mr. Raghavendra Pratap Singh, Adv.

Ms. Suresh Kumkari, Adv.

Mr. Rajesh Shrivastava, Adv.

Mr. S.M. Imam, Adv.

Mr. Tabroz Ahmad, Adv.

Mr. Anis Suhrawardy, Adv.

-19-

CC (C) 176/2006

Petitioner-in-person

Mr. Pravir Jain, Adv.

UPON hearing counsel the Court made the following

ORDER

I.A. NO. 2290-2291 IN W.P. (C) NO. 4677/1985

Learned counsel for the petitioner states that no further orders are required to be passed in these IAs. Accordingly, he seeks leave of this Court to withdraw these IAs. Accordingly these applications stand dismissed as withdrawn.

I.A. NO. 2199 IN W.P. (C) NO. 4677/1985

It is reported by the learned counsel for the petitioner that the matter has become infructuous and no further orders are required to be passed. The I.A. is

dismissed as infructuous.

I.A. NO.2349 IN W.P.(C) 4677/1985

The I.A. is dismissed.

I.A. NOS. 2320 AND 2321 IN W.P.(C) 4677/1985

Learned counsel for the petitioner states that no further orders are required to be passed in these applications. Accordingly, he seeks leave of this Court to withdraw these I.As. Accordingly these applications stand dismissed as withdrawn.

I.A. NOS. 2418-2419 AND 2420-2421

Learned counsel for the petitioner seeks leave of this Court to withdraw these applications with a liberty to approach the Monitoring Committee. This order shall not preclude the petitioner to approach the Monitoring Committee. All the four applications are accordingly dismissed.

-20-

I.A. No. 2398-2399/2009

List the I.A.s along with I.A. No.22 in W.P. 4677/1985.

I.A. NOS.2099-2100

Learned counsel for the applicants state that no further orders required to be passed in these applications. The applications shall accordingly stand dismissed.

The report of the Monitoring Committee for ceiling of the commercial establishments operating in residential premises (Report No.72 dated July 22, 2009) is taken on file. The Registry is directed to furnish copies of this Report to Union of India, Municipal Corporation Delhi, NDMC, Govt. of NCT, Delhi and DDA. So far as the report to be served on UOI is concerned, it may be served on Ms. Indira Jaising, ASG. Response, if any, to the Report may be submitted within 6 weeks from today.

I.A. NOS. 2409, 2178, 2179, 2398-99, 2410, 2411, 2412, 2414 AND I.A. NO.1 IN W.P.(C) NO.273

The Report of the Monitoring Committee (Report No.71 dated 24.7.09) is taken on file. This Report relates to the above mentioned I.As. The Registry is directed to furnish copy of this Report to the concerned parties as well as Union of India, Municipal Corporation Delhi, NDMC, Govt. of NCT, Delhi and DDA. So far as the report to be served on UOI is concerned, it may be served on Ms. Indira Jaising, ASG. Response, if any, to the Report may be submitted within 6 weeks from today.

I.A. NOS. 2425-2426, 2427/2009

Learned counsel for the applicant seeks leave of this Court to withdraw these applications with a liberty to file an appropriate petition in accordance with law. These IAs, accordingly stand dismissed as withdrawn.

I.A. NOS. 2189-2190/2009

Learned counsel for the petitioner seeks leave of this Court to withdraw these applications. The IAs are dismissed as withdrawn.

-21-

List the remaining matters in the month of September, 2009. Registry shall

notify the date. In the meanwhile, the parties to complete the pleadings and
change the same. All pending IAs and applications that may be filed shall be taken
up for hearing only after the final disposal of the Writ Petitions.

(Hemalatha Mohan)

(Vinod Kulvi)
Court Master

Sr.P.A.