

ITEM NO.4

COURT NO.1

SECTION XVII

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

Civil Appeal No(s). 13120/2017

RAVINDER CHANANA & ORS.

Appellant(s)

VERSUS

THE STATE OF DELHI DELHI SECRETARIAT CHIEF SECRETARY &
ORS.Respondent(s)

(WITH 49339/2023APPROPRIATE ORDERS/DIRECTIONS IA No. 40462/2023 -
APPLICATION FOR PERMISSION IA No. 40464/2023 - STAY APPLICATION IA
No. 10266/2023 - STAY APPLICATION IA No.40945/2023 - STAY
APPLICATION)

Date : 05-04-2023 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Appellant(s) Mr. Shadan Farasat, Adv.
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Ms. Mreganka Kukreja, Adv.
Ms. Natasha Bhandari, Adv.

Mr. Aman Lekhi, Sr. Adv.
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For Respondent(s) Ms. Madhvi Divan, A.S.G.

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Ms. Nidhi Khanna, Adv.
Mr. Shlok Chandra, Adv.
Dr. Arun Kumar Yadav, Adv.

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Mr. Suraj Singh, Adv.
Mr. Manoj Kumar Sharma, Adv.

Mr. Avijit Roy, AOR

Mr. Prem Prakash, AOR
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Mr. Anurag Abhishek, Adv.
Ms. Vijaya Singh, Adv.
Ms. Ankita Sinha, Adv.
Mr. Sandip Dutt, Adv.

Mr. Ravindra Raizada, A.A.G.
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Mr. Praveen Swarup, Adv.
Ms. Payal Swarup, Adv.
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Mrs. Damyanti Singh Juneja, Adv.
Mr. Hari Sahteshwar, Adv.

Mr. Yoginder Handoo, AOR

Mr. Sanjay Kumar Visen, AOR
Mr. Devvrat, Adv.

Mr. Sanjay Parikh, Sr. Adv.
Mr. Devvrat, Applicant In Person, Adv.
Ms. Swati Setia, AOR
Mr. Devesh Kumar Agnihotri, Adv.
Mr. Subas Ray, Adv.

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

- 1 The Interlocutory Application for impleadment (IA No 40462/2023) is allowed.
- 2 The Interlocutory Applications are to seek a stay on the expansion of the capacity of the Waste to Energy Plant at Okhla from 23 MW to 40 MW.
- 3 Mr Ranjit Kumar, senior counsel appearing on behalf of the Ninth Respondent states that in pursuance of the permission which has been received, the process of expansion and operationalising the plant to the enhanced capacity would take about 18 months.
- 4 In view of the above statement of Mr Ranjit Kumar, it is not necessary to entertain the Interlocutory Applications at the present stage.
- 5 However we have acceded to the request of all the counsel that the Civil Appeal be listed for final disposal at an early date.
- 6 List the Civil Appeal along with IA No 49339 of 2023 on 19 July 2023.
- 7 Any steps which are taken by the concessioner towards implementing the

permission for enhancement of the capacity from 23 MW to 40 MW shall be subject to the final result of the appeal and shall not create any equities.

- 8 To facilitate the final disposal of the proceedings, counsel appearing on behalf of the contesting parties shall prepare a common compilation of documentary and other material that is sought to be relied upon.
- 9 Mr Devvrat, counsel for the appellant and Mr Nilava Bandyopadhyay, counsel assisting Mr Ranjit Kumar shall act as nodal counsel to ensure that soft copies of the compilations are prepared and circulated to the Bench and to the counsel appearing on behalf of the contesting parties. The soft copies of the compilations shall also be emailed to cmvc.dyc@gmail.com.
- 10 Parties shall also file brief sets of written submissions by 30 June 2023.
- 11 IA Nos 10266, 40464, and 40945 are accordingly disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR