

ITEM NO.42 +43+2 Court 3 (Video Conferencing) SECTION III

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 19714/2021

(Arising out of impugned final judgment and order dated 19-08-2021 in WPIL No. 222/2014 passed by the High Court Of Gujarat At Ahmedabad)

UTRAN SE BESTHAN RAILWAY JHOPADPATTI VIKAS MANDAL Petitioner(s)

VERSUS

GOVERNMENT OF INDIA & ORS.

Respondent(s)

Diary No(s). 23559/2021

Transferred Case (Civil) No(s). 1/2022 (By Court Motion)

Date : 21-03-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE ABHAY S. OKA

For Parties

Mr. Colin Gonsalves, Sr. Adv(NP)
Ms. Kawalpreet Kaur, Adv.
Ms. Hetvi Patel, Adv.
Mr. Satya Mitra, AOR

Mr. Colin Gonsalves, Sr. Adv(NP)
Ms. Kawalpreet Kaur, Adv.
Ms. Hetvi Patel, Adv.
Ms. Amiy Shukla, AOR

Mr. K.M. Nataraj, ASG
Mr. Kanu Agrawal, Adv.
Ms. Sansriti Pathak, Adv
Mr. Akshay Amritanshu, Adv.
Mr. Varun Chugh, Adv.
Mr. Amrish Kumar, AOR

Mr. K.M. Nataraj, ASG
Mr. S.K. Singhania, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Vikas Bansal, Adv.
Mr. Sughosh Subramanyam, Adv
Mr. Amrish Kumar, AOR

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Munawwar Naseem, AOR
Mr. Dhaval Nanavati, Adv.
Ms. Ruchi Khurana, Adv.
Ms. Sanjna Dua, Adv.

Mr. Arun Bhardwaj, Sr. Adv.
Mr. Vishwa Pal Singh, AOR
Mr. Rahul Kumar Sharma, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Gauraan, Adv.

Mr. Dattatray Vyas, Adv.
Mr. Priank Adhyaru, Adv.
Mr. Shaikh Abdul Wajid Zakir, Adv.
Mr. Akshay Kapadia, Adv.
Ms. Vaishnavi Mankame, Adv.

Mr. Rameshwar Prasad Goyal, AOR

Mr. Ejaz Maqbool, AOR

Ms. Deepanwita Priyanka, AOR

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

Diary No.19714/2021

I.A. No.39186/2022-Application for
impleadment is dismissed.

However, the applicant is free to pursue other appropriate proceedings as the issue involved in the present petition is limited in terms of the successive orders passed by this Court, coupled with the fact that demolition work is already over in all respect as reported by the competent authority.

Ms. Kawalpreet Kaur, learned counsel appearing for the petitioners, requested for some

more time to extend the time-line for filing of the applications for allotment under the Pradhan Mantri Awas Yojna by the affected persons.

The time-line is upto 31.03.2022. We see no reason why the interested persons are not in a position to do the needful before that date. The request is, therefore, rejected.

Be it noted, this Court has already shown indulgence by directing the authorities to accept forms without insisting for deposit of Rs.20,000/- (Rupees twenty thousand only) as pre-condition. Nothing more need be done at this stage.

Mr. K.M. Nataraj, learned Additional Solicitor General, states that latest status report has been filed on 17.03.2022.

Registry to verify the same and circulate it along with paper-book on the next date of hearing.

Diary No(s). 23559/2021

Mr. K.M. Nataraj, learned Additional Solicitor General, submits that formal orders of eviction under the Public Premises Act have been passed in respect of encroachments on the railway property. However, execution is being delayed

because of non-cooperation by the local authorities, namely, the Corporation, District Administration and State Police.

We direct the Commissioner of Faridabad Municipal Corporation, Superintendent of Police and the District Collector, Faridabad to ensure that full cooperation is extended to the officials of railways wanting to execute the orders passed for removal of unauthorized structure(s) at the earliest.

Registry is directed to forward a copy of this order to the Commissioner, Faridabad Municipal Corporation, District Collector, Faridabad and Superintendent of Police, Faridabad, forthwith through e-mail for information and necessary action.

Mr. Rahul Sharma, learned counsel, assures to convey this order forthwith to the concerned authorities.

Concerned authorities to file further status report in the concerned cases before the next date.

Transferred Case (Civil) No. 1/2022

Registry to take steps to effect service on the unserved parties, returnable on 11.04.2022.

List all the matters on 11.04.2022.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER