

ITEM NO.18+20+30 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
R E C O R D O F P R O C E E D I N G S

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

(Arising out of impugned final judgment and order dated 19-08-2021 in WPPIL 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). 23559/2021Transfer Case (Civil) No(s). 1/2022

Date : 28-01-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Ms. Kawalpreet Kaur, Adv.
Ms. Hetvi Patel, Adv.
Mr. Haider Ali, Adv.
Mr. Satya Mitra, AOR

Ms. Kawalpreet Kaur, Adv.
Ms. Hetvi Patel, Adv.
Mr. Haider Ali, Adv.
Ms. Amiy Shukla, AOR

For Respondent(s) Mr. Tushar Mehta, SG
Mr. K M Nataraj, ASG
Mr. Akshay Amritanshu, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Sansriti Pathak, Adv.
Mr. Varun Chugh, Adv.
Mr. Amrish Kumar Sharma, AOR

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

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

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Munawwar Naseem, AOR
Mr. Dhavan Nanavati, Adv.
Ms. Ruchi Khurana, Adv.
Ms. Sanjana Dua, Adv.

Ms. Deepanwita Priyanka, AOR

Mr. Md. Tahir M. Hakim, Adv.
Mr. Ejaz Maqbool, AOR
Mr. Muhammad Isa M. Hakim, Adv.
Mr. Saif Zia, Adv.

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

Learned counsel for the respondents has circulated a letter praying for two weeks' time to file status report. There is no objection for granting this indulgence.

However, Mr. Colin Gonsalves, learned senior counsel appearing for the concerned hutment dwellers, would submit that the demolition work has proceeded, in which around 1078 structures have been demolished. However, the applications tendered by the concerned occupants for grant of rehabilitation are not being accepted by the appropriate authority nor acknowledgement is issued while accepting the representation and also, amount

of Rs.2000/- *ex gratia*, as directed in terms of order dated 16.12.2021, is not being paid to the affected persons.

Mr. Mukul Rohatgi, learned senior counsel appearing for the Commissioner Municipal Corporation, on instructions, submits that the desiring persons may make application to following:

Office of the Municipal Corporation, Surat

NAME of Official : Mr. Dharmendra Dalal

Designation: Personal Officer & Nodal Officer

ADDRESS: Affordable Housing Cell Ground Floor, Dhasipura, opp. Variyavi Police Station, Surat.

Contact Details: Mobile: 97243 37018

Email: afcsmc@gmail.com

Office of the Collectorate, Surat

NAME of Official : Ms. Shivangi Shah

Designation: Deputy Collector & SDM (Surat City) & Nodal Officer

ADDRESS: Office of Deputy Collector & SDM (Surat City) 3rd Floor, Block - A, Jilla Seva Sadan - 2, Athwalines, Surat.

Contact Details: Mobile: [9978405221](tel:9978405221)

Email: 15.prantcity@gmail.com

The aforesaid Officer(s) will ensure that receipt of such application(s) is also given to the person concerned contemporaneously.

Further, the grievance regarding disbursal of the amount will also be looked into if such cases are brought to the notice of the nodal officer(s), mentioned above, in right earnest.

We appreciate the stand taken by the Corporation in this regard.

Mr. Tahir M. Hakim, learned counsel instructed by Mr. Ejaz Maqbool, submits that he has filed application(s) for direction to the authority for grant of alternative site/accommodation in view of the demolition of the structure(s) referred to in the concerned application.

I.A. Nos.12301, 12302 and 12303 are disposed with liberty to the applicant(s) to make representation to the above-named authority/nodal officer, which representation be considered by the competent authority in accordance with law and on its own merits. If that decision is adverse to the applicant, it will be open to the aggrieved applicant(s) to pursue such other remedy as may be permissible in law, if so advised.

All contentions available to the applicant(s) as well as to the competent authority are left open, to be decided in the proposed

proceedings.

The status report be filed on or before 11.02.2022 through physically as well as on-line, as may be convenient to the parties.

List these matters on 18.02.2022.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER