

ITEM NO.5

COURT NO.3

SECTION X

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

Writ Petition(s)(Civil) No(s). 188/2004

M/S. RAIGANJ CONSUMER FORUM

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 33106/2019 - APPLICATION FOR PERMISSION
IA No. 112751/2020 - APPLICATION FOR PERMISSION
IA No. 75467/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 173810/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 267222/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 156597/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 171258/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 241765/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 130757/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 158058/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 145179/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 226492/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 16546/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 62733/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 94012/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 58091/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 226482/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 77100/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 5215/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 45905/2019 - CLARIFICATION/DIRECTION
IA No. 132644/2021 - CLARIFICATION/DIRECTION
IA No. 175920/2022 - CLARIFICATION/DIRECTION
IA No. 132638/2021 - CLARIFICATION/DIRECTION
IA No. 110706/2021 - CLARIFICATION/DIRECTION
IA No. 132630/2021 - CLARIFICATION/DIRECTION
IA No. 211030/2023 - CLARIFICATION/DIRECTION
IA No. 132614/2021 - CLARIFICATION/DIRECTION
IA No. 86122/2021 - CLARIFICATION/DIRECTION
IA No. 145178/2019 - CLARIFICATION/DIRECTION
IA No. 77270/2021 - CLARIFICATION/DIRECTION
IA No. 132665/2021 - CLARIFICATION/DIRECTION
IA No. 132657/2021 - CLARIFICATION/DIRECTION
IA No. 42476/2020 - EXEMPTION FROM FILING O.T.
IA No. 134874/2022 - EXEMPTION FROM FILING O.T.
IA No. 202744/2023 - EXEMPTION FROM FILING O.T.

IA No. 202669/2023 - EXEMPTION FROM FILING O.T.
 IA No. 32653/2021 - INTERVENTION APPLICATION
 IA No. 217431/2023 - INTERVENTION APPLICATION
 IA No. 212823/2023 - INTERVENTION APPLICATION
 IA No. 110701/2021 - INTERVENTION APPLICATION
 IA No. 211021/2023 - INTERVENTION APPLICATION
 IA No. 241755/2023 - INTERVENTION APPLICATION
 IA No. 130756/2020 - INTERVENTION APPLICATION
 IA No. 158056/2023 - INTERVENTION APPLICATION
 IA No. 152877/2023 - INTERVENTION APPLICATION
 IA No. 226487/2023 - INTERVENTION APPLICATION
 IA No. 16535/2024 - INTERVENTION APPLICATION
 IA No. 7058/2024 - INTERVENTION APPLICATION
 IA No. 62731/2019 - INTERVENTION APPLICATION
 IA No. 94002/2020 - INTERVENTION APPLICATION
 IA No. 58090/2021 - INTERVENTION APPLICATION
 IA No. 226475/2023 - INTERVENTION APPLICATION
 IA No. 132570/2021 - INTERVENTION/IMPLEADMENT
 IA No. 5211/2024 - INTERVENTION/IMPLEADMENT
 IA No. 27236/2021 - INTERVENTION/IMPLEADMENT
 IA No. 132550/2021 - INTERVENTION/IMPLEADMENT
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 IA No. 134873/2022 - INTERVENTION/IMPLEADMENT
 IA No. 202756/2023 - INTERVENTION/IMPLEADMENT
 IA No. 132594/2021 - INTERVENTION/IMPLEADMENT
 IA No. 132582/2021 - INTERVENTION/IMPLEADMENT
 IA No. 132577/2021 - INTERVENTION/IMPLEADMENT
 IA No. 42473/2020 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 157541/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 88654/2022 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 18325/2024 - RECALLING THE COURTS ORDER
 IA No. 130807/2020 - WITHDRAWAL OF CASE / APPLICATION
 IA No. 140519/2023 - WITHDRAWAL OF CASE / APPLICATION)

WITH

T.C.(C) No. 60/2003 (XIV-A)

T.C.(C) No. 66/2003 (XIV-A)

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T.C.(C) No. 59/2003 (XIV-A)

T.C.(C) No. 68/2003 (XIV-A)

T.C.(C) No. 2/2004 (XIV-A)
(ONLY
FOR MODIFICATION ON IA 127435/2023)

T.C.(C) No. 1/2004 (XIV-A)

T.C.(C) No. 24/2005 (XIV-A)

C.A. No. 3134-3137/2016 (IV)

T.C.(C) No. 34/2019 (IV)

T.C.(C) No. 35/2019 (IV)

T.C.(C) No. 36/2019 (IV)

T.C.(C) No. 37/2019 (IV)

T.C.(C) No. 38/2019 (IV)

CONMT.PET.(C) No. 701/2021 in T.C.(C) No. 2/2004 ()
(IA No. 35282/2021 - EXEMPTION FROM FILING O.T.)

CONMT.PET.(C) No. 942/2021 in T.C.(C) No. 2/2004 ()
(FOR ADMISSION)

Date : 29-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For parties(s)

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Ms. Devina Bhandari, Adv.
Mr. Shivam Sharma, Adv.

Mr. Pankaj Kumar Mishra, AOR

Ms. Suruchii Aggarwal, Sr. Adv.
Mr. Prashant Kumar, Adv.
Mr. Viraj Kadam, Adv.
Mr. Gurmeet Singh, Adv.
Mr. Soumya Dutta, AOR
Mr. Siddhant Upmanyu, Adv.

Mr. Ranjan Mukherjee, AOR
Mr. Shantanu Bhowmick, Adv.
Mr. Gautam Barua, Adv.
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Mr. Aslam J. Ahmad, Adv.

Mr. Shailendra Bhardwaj, AOR
Mrs. Naresh Bakshi, AOR

Mr. Rana Ranjit Singh, AOR
Mr. Vivek Kumar Singh, Adv.
Mr. Ravish Singh, Adv.
Mrs. Sweta Singh, Adv.
Ms. Akanksha Singh, Adv.
Mr. Abhilash Tripathy, Adv.

Mr. Yash Pal Dhingra, AOR

Mr. Ranjan Mukherjee, AOR
Mr. Shantanu Bhowmick, Adv.
Mr. Gautam Barua, Adv.
Mr. Mohneesh Pratap Singh, Adv.

Mr. Somnath Mukherjee, AOR

Mr. Pankaj Kumar Mishra, AOR
Mr. Surya Kant, AOR
Mr. Shubham Bhalla, AOR

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Mr. Piyush Kant Roy, Adv.
Mr. Gaurav Dhingra, Adv.

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Mr. Sudhir Kumar Gupta, AOR
Ms. Chitra Markandaya, AOR
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Mr. R. Gopalakrishnan, AOR
Mr. Arun K. Sinha, AOR
M/S. Ap & J Chambers, AOR

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Mr. Jatinder Kumar Bhatia, AOR
Mr. Ashutosh Kumar Sharma, Adv.

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Mr. S. Ravi Shankar, AOR
Mr. Chander Shekhar Ashri, AOR
Mr. Ramesh Babu M. R., AOR
Mr. Alok Gupta, AOR
Ms. Sunita Sharma, AOR

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Mr. Bhargava V. Desai, AOR
Mr. Deepanshu, Adv.
Ms. Devina Bhandari, Adv.
Mr. Shivam Sharma, Adv.

Mr. Rameshwar Prasad Goyal, AOR
Mr. Shree Pal Singh, AOR

Mr. Jayant K. Sud, Sr. Adv.
Ms. Ishita Farsaiya, Adv.
Mr. Kartik Jasra, Adv.
Mr. Shivam Nagpal, Adv.
Mr. Pranit Stefano, Adv.
Mr. Siddharth, AOR
Mr. Anshul Saxena, Adv.

Mr. Ashwani Kumar, AOR
Dr. Surender Singh Hooda, AOR
M/S. K J John And Co, AOR

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Mr. Gaurav Dhama, A.A.G.
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Ms. Malvika Raghavan, Adv.

Ms. Shalu Sharma, AOR
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Ms. Vandana Sehgal, AOR
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Mr. Shashank Bajpai, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Prashant Singh Ii, Adv.
Mr. Raghav Sharma, Adv.
Mr. Rajeeva Ranjan Rajesh, Adv.

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Mr. K. S. Rana, AOR
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Mr. Devendra Singh, AOR
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Ms. Ruchi Arya, Adv.
Mr. Anvesh O, Adv.
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Mr. Waseem Akhtar Khan, Adv.
Mr. Vijay Kumar, Adv.
Mr. Ramu, Adv.
Mr. K.v.krishna Rao, Adv.
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Mr. Aditya Soni, AOR
Mr. Ronak Karanpuria, AOR

Mr. Pradeep Chindra, Adv.
Mr. Rajan Chawla, AOR

Mr. S. Udaya Kumar Sagar, Adv.
Ms. Bina Madhavan, Adv.
Mr. Lakshay Saini, Adv.
M/S. Lawyer S Knit & Co, AOR

Dr. Surender Singh Hooda, AOR

Mr. Ravi Raghunath, Adv.
Mr. Utkarsh Kumar, Adv.
Mr. Sanyat Lodha, AOR

Mr. Rishi Kapoor, AOR

Mr. Jayant K. Sud, Sr. Adv.
Ms. Ishita Farsaiya, Adv.

Mr. Kartik Jasra, Adv.
Mr. Shivam Nagpal, Adv.
Mr. Pranit Stefano, Adv.
Mr. Siddharth, AOR
Mr. Anshul Saxena, Adv.

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

1. On the last date, i.e. 24th January 2024, when the matter was taken up, Shri Krishnan Venugopal and Mr. V. Giri, learned senior counsel appeared for private parties and stated that vast chunk of land approximately 788 acres in the State of Telangana was not included in the assessment report of the Income Tax Department. Mr. Aman Vachher, learned counsel appeared on behalf of one of the parties and submitted that about 100 acres of land in the City of Gurugram is also not found in the assessment made by the Income Tax Department. Shri Jayant K. Sud, learned senior counsel appeared for the legal heirs of the original promoter(s) and submitted that vast stretches of land at Mohali in the State of Punjab were also not included in the assessment report. Mr. Sud, further submitted that the vast stretches of land at Kot Dilla District Panchkula, Punjab are being used for illegal mining by the encroachers and the Committee is not taking any steps for protection of the said land and as a result is permitting, illegal mining.

2. We had asked the concerned parties to file their respective affidavits giving details about their submission.

3. Yesterday, when the matter was listed, we are informed that except Mr. V. Giri, learned senior counsel client, the other parties have not filed their affidavit(s).

4. Smt. Suruchii Aggarwal, learned senior counsel appearing for the Committee submitted that the details of the land in the State of Telangana had already been submitted to the Income Tax Department. However the said lands have escaped attention of the Department while undertaking valuation of the property in the State of Telangana.

5. Be that as it may, we request the Income Tax Authority to do the exercise of valuation of the said property and submit the valuation report within a period of 12 weeks from today.

6. Insofar as the the land in Gurugram is concerned, Smt. Suruchii Aggarwal, submitted that the valuation has already been done by the Income Tax Authority.

7. Insofar as the land at Mohali and Panchkula, where illegal mining is happening, are concerned, no specific details on an affidavit have been provided so that order(s) could be issued in that regard.

8. Mr. Jayant K. Sud, learned senior counsel further seeks' time to file an affidavit regarding the property at Panchkula and Mohali. We clarify that whatever details the legal heirs of the original promoter(s) want to give, the same shall be given on an affidavit within two weeks from today.

9. We clarify that no further time would be granted in that regard. The affidavit be filed on or before 15th March, 2024.

10. List the application(s)/matter(s) on 20.03.2024 at 02:00 p.m. only with regard to this aspect of the matter.

11. In our earlier orders, we have already observed that, *prima facie*, it will be in the interest of everyone that all the properties are auctioned together on a Pan India Basis so that complications are avoided.

12. We are informed that three parties are willing to submit their bids for acquisition on a Pan India basis.

13. We are also informed that there are some other parties who would be interested to bid on a Pan India basis. We have also clarified that bids would be on as is where is basis. If any land is under litigation, the bid would be with the risk that would carry alongwith offering such a bid.

14. However, in order to avoid further complication, we direct all the parties, including the State of Uttarakhand shall maintain status quo of the properties, as of today.

15. Learned counsel for the Committee has placed on record the status report, the same shall be taken on record.

16. In that view of the matter, list these matter(s)/application(s) on 31st July, 2024.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)