

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). 4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

((1) IN RE: SEALING ISSUE IA NOS. 12428/2018 AND 12444/2018
(APPLNS. SEEKING DE-SEALING OF THE PREMISES ON B/O DINESH MADAN AND
OTHERS)

(2) REPORT NO. 112 (STATUS REPORT IN RESPECT OF INSPECTION CARRIED
OUT ON 5.2.2018)

Date : 06-03-2018 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Ranjit Kumar, Sr. Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Sudipto Sircar, Adv.
Ms. Tulika Chikker, Adv.

Ms. Anitha Shenoy, Advocate (A.C.)
Ms. Rashmi Nandakumar, Adv.
Ms. Srishti Agnihotri, Adv.
Mr. Sudipto Sircar, Adv.
Ms. Tulika Chikker, Adv.
Ms. Remya Raj, Adv.

Petitioner-In-Person

For Respondent(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Gaurav Sharma, Adv.
Mr. Prateek Bhatia, Adv.
Mr. Dhawal Mohan, Adv.
Ms. Amandeep Kaur, Adv.

Mr. Ashish Mohan, Adv.
Mr. Akshit Mago, Adv.
Mr. K.K. Mohan, Advocate

Mr. Shyam Divan, Sr. Adv.
Mr. Nikhil Rohatgi, Adv.

Ms. Ranjeeta Rohatgi, Adv.

Mr. D.N. Goburdhun, Advocate
Ms. Pallavi Chopra, Adv.

Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.L. Chidananda, Adv.
Mr. Ritesh Kumar, Adv.
Mr. Amit Sharma, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mr. Rajesh Kr. Singh, Adv.
Mr. G.S. Makker, Adv.

Mr. Ajay Kumar Singh, Adv.
Mr. B.V. Balram Das, Advocate

SDMC

Mr. Sanjiv Sen, Sr. Adv.
Mr. Rahul Aria, Adv.
Mr. Praveen Swarup, Advocate
Mr. Ameet Singh, Adv.
Mr. Ajay Kumar Giri, Adv.
Mr. R.K. Singh, Adv.

DDA

Mr. Vishnu B. Saharya, Adv.
Mr. Viresh B. Saharya, Adv.
For M/S Saharya & Co., Advocates

Ms. Anil Katiyar, Advocate

CPCB

Mr. Vijay Panjwani, Adv.

UPON hearing the counsel the Court made the following

O R D E R

REPORT NO. 111 (REPORT OF THE MONITORING COMMITTEE IN RESPECT OF
E-5A, HAUZ KHAS MARKET, NEW DELHI)

It is unfortunate that the son of Mr. Dinesh Mehta (applicant) in spite of being a lawyer has chosen not to file a reply to the report filed by the Monitoring Committee.

Last opportunity is granted to file a reply within a period of three days.

List Report No. 111 on 12.03.2018.

SUBMISSION OF LEARNED AMICUS

In spite of our order dated 09.02.2018 in which we had recorded submissions of the learned Amicus and we had required the Delhi Development Authority, the Municipal Corporations in Delhi and the Delhi Government to file an affidavit with respect to nine issues concerning the Master Plan of Delhi, nobody has bothered to file an affidavit.

Accordingly, we have no option but to accept whatever has been suggested by the learned Amicus and conclude that none of the requirements recorded in the order dated 09.02.2018 have been fulfilled by any of these authorities.

That being the position, further progress in the Amendment of the Master Plan is stayed.

REPORT NO. 112 (STATUS REPORT IN RESPECT OF INSPECTION CARRIED OUT ON 05.02.2018)

We have gone through the CD filed by the Monitoring Committee.

It appears that the alleged contemnors were only discussing the matter with the police authorities with a view to convince them that the sealing operation should not continue. In our opinion, this does not amount to contempt of the orders of this Court or obstructing the Monitoring Committee and the Delhi Police from carrying out its functions.

However, what we find objectionable in the CD is the waiving of flags of a particular political party and carrying banners which are derogatory of the Chief Minister of Delhi. Apart from the fact

that the Chief Minister of Delhi has nothing to do with the matter, it is extremely unfortunate that the Head of Government of the Union Territory of Delhi (or any Head of Government for that matter) should be referred to in a derogatory manner through placards being carried by the supporters of elected representatives of the People. This belittles the office of the Head of Government and must be strongly discouraged.

The alleged contemnors should ensure that steps are taken by them to convince their supporters not to insult public functionaries through banners or placards.

With these observations, contempt notice is discharged.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER