

ITEM NO.12

COURT NO.4

SECTION PIL-W

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).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

[1] [i] INTERLOCUTORY APPLICATION NO. 2202
[APPLICATION FOR DIRECTIONS]

IN RE : CONTONMENT BOARD, PANCHMARHI WITH

[ii] INTERLOCUTORY APPLICATION NOS. 2915-2916

[APPLICATIONS FOR INTERVENTION, MODIFICATION/
CLARIFICATION OF RECOMMENDATIONS OF CEC DATED 16.09.2008]

IN RE : YUVA TARANG

WITH

[iii] INTERLOCUTORY APPLICATION NOS. 3308-3309

[APPLICATIONS FOR IMPLEADMENT, MODIFICATION]

IN RE : COL. C.B. SHARMA

Date : 09-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Adv. [A.C.] (NP)

Mr. A.D.N. Rao, Advocate [A.C.]

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

Mr. Siddhartha Chowdhury, Advocate [A.C.]

Ms. Aparajita Singh, Advocate [A.C.]

For Petitioner(s)

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG

Mr. S. Wasim A. Qadri, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Arun Kumar Yadav, Adv.

Mr. Amrish Kumar Sharma, Adv.

Mr. A.K. Sharma, Adv.

Mr. Ravindra Bana, Adv.

Mr. Baij Nath Patel, Adv.

Mr. D.L. Chidananda, Adv.
Mr. G.S. Makker, Adv.
Mr. M.K. Maroria, Adv.
Mrs. Anil Katiyar, Adv.
Mr. Divya Prakash Pande, Adv.
Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. Haris Beeran, AOR

Mr. Vikas Singh, Sr. Adv.
Mr. Arvind Kr. Sharma, Adv.
Mr. Raj Kishor Choudhary, AOR

Mr. Arjun Garg [FOR State Of Madhya Pradesh],
Mr. Sunny Choudhary, Adv.

Ms. Lalitha Kaushik, AOR
Mr. Sanjay Upadhyay, Adv.
Ms. Esha K., Adv.
Ms. Saumya Chaudhari, Adv.

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

We have heard learned counsel for the parties.

1. Out of 1001.582 hectares of Cantonment land belonging to the Army which is included in the Panchmarhi Wild Life Sanctuary notified under the Wild Life (Protection) Act, 1972, it appears that 607.582 hectares is non-forest Cantonment land and 395 hectares is deemed forest land being part of Cantonment land belonging to the Army.

In the meeting held under the aegis of the Secretary in the Ministry of Defence, it was agreed that 234 hectares out of 395 hectares should be kept as a deemed forest under the control of the Army authorities.

However, since the entire 395 hectares of land is a deemed forest, we are of the view that the entire land of 395 hectares be maintained as a deemed forest under the

control of the Army authorities.

According to learned counsel for the Army authorities, the 395 hectares has been used for several decades for jungle warfare.

Therefore, we make it clear that this 395 hectares will continue to remain as deemed forest and can be utilised by the Army authorities for jungle warfare, but no trees will be damaged or cut in that area.

Necessary orders may be passed in terms of our order.

2. It has also been agreed by the Army authorities that the Sewage Treatment Plant (STP) will be constructed as recommended.

It is stated by learned counsel appearing on behalf of the Cantonment Board that tenders have been floated for this purpose.

We expect the authorities to set up the Sewage Treatment Plant at the earliest.

3 & 4. Two other issues remain to be considered, viz., with regard to the applicability of the building bye-laws of the Cantonment Board or of SADA for the area under consideration and the utilization of 135 hectares of SADA land.

According to learned counsel for the Cantonment Board, the utilization of 135 hectares of SADA land is not a subject matter for consideration and he will produce the orders passed by this Court in this regard.

List the applications on 16th August, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

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Writ Petition(s)(Civil) No(s).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

INTERLOCUTORY APPLICATION NO. 3949

[APPLICATIONS FOR DIRECTIONS]

IN RE : GRANT OF MINING LEASE TO M/S PUTAMBEKAR MINERALS

Date : 09-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Adv. [A.C.] (NP)

Mr. A.D.N. Rao, Advocate [A.C.]

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

Mr. Siddhartha Chowdhury, Advocate [A.C.]

Ms. Aparajita Singh, Advocate [A.C.]

For Petitioner(s)

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG

Mr. S. Wasim A. Qadri, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Arun Kumar Yadav, Adv.

Mr. Amrish Kumar Sharma, Adv.

Mr. A.K. Sharma, Adv.

Mr. Ravindra Bana, Adv.

Mr. Baij Nath Patel, Adv.

Mr. D.L. Chidananda, Adv.

Mr. G.S. Makker, Adv.

Mr. M.K. Maroria, Adv.

Mrs. Anil Katiyar, Adv.

Mr. Divya Prakash Pande, Adv.

Mr. Niraj Kumar, Adv.

Mr. Salvador Santosh Rebello, Adv.

Mr. Haris Beeran, AOR

For S.No. [2]

Mr. Ranjit Kumar, Sr. Adv.

Mr. Mohit Paul, AOR

Mr. Ayush Agrawal, Adv.

Mr. Anugrah Niraj Ekka, Adv.

Mr. Vikrant Singh Baloria, Adv.

Mr. Nishant R. Katneshwarkar, AOR

Mr. Kunal Cheema, Adv.

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

List the application on 16th August, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

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Writ Petition(s)(Civil) No(s).202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

[3] [i] INTERLOCUTORY APPLICATION NO. 1335
[INQUIRY REPORT OF CEC DATED 11.05.2005 REGARDING SALE OF GOOD
QUALITY COAL IN THE GARB OF REJECTS TO M/S HINDALCO]
In Re : SALE OF GOOD QUALITY COAL IN THE GARB OF REJECTS TO M/S
HINDALCO

WITH

[ii] INTERLOCUTORY APPLICATION NOS. 1376-1377
[APPLICATIONS FOR INTERVENTION AND DIRECTIONS]
In Re : MARUTI CLEAN COAL AND POWER LTD.

Date : 09-05-2018 This petition was called on for hearing today.

CORAM :

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

Mr. Harish N. Salve, Sr. Adv. [A.C.] (NP)

Mr. A.D.N. Rao, Advocate [A.C.]
Mr. Sudipto Sircar, Adv.
Ms. Tulika Chikker, Adv.

Mr. Siddhartha Chowdhury, Advocate [A.C.]

Ms. Aparajita Singh, Advocate [A.C.]

For Petitioner(s)

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. Ritesh Kumar, Adv.
Mr. Zaid Ali, Adv.
Mr. Arun Kumar Yadav, Adv.
Mr. Amrish Kumar Sharma, Adv.
Mr. A.K. Sharma, Adv.
Mr. Ravindra Bana, Adv.
Mr. Baij Nath Patel, Adv.

Mr. D.L. Chidananda, Adv.
Mr. G.S. Makker, Adv.
Mr. M.K. Maroria, Adv.
Mrs. Anil Katiyar, Adv.
Mr. Divya Prakash Pande, Adv.
Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. Haris Beeran, AOR

Mr. Apoorv Kurup, AOR

Mr. Sumit Goel, Adv.
Mr. Tanuj Agarwal, Adv.
for M/S Parekh And Co.

Mr. V. Krishna Murthy, AOR

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

List the applications on 16th August, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER