

ITEM NO.21

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. & ORS. Respondent(s)

[1] INTERLOCUTORY APPLICATION NO. 138805/2017

[REPORT OF CENTRAL EMPOWERED COMMITTEE IN APPLICATION NO. 1414 OF 2017 FILED BEFORE IT BY THE SOUTH DELHI MUNICIPAL CORPORATION (SDMC)]

IN RE : SOUTH DELHI MUNICIPAL CORPORATION (SDMC)

Date : 24-04-2018 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)

Ms. Aparajita Singh, Adv. (A.C.)

Mr. A.D.N. Rao, Adv. (A.C.)

Mr. Sudipto Sircar, Adv.

Ms. Tulika Chikker, Adv.

Mr. Siddhartha Chowdhury, Adv. (A.C.)

For Petitioner(s)

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. D.L. Chidananda, Adv.
Mr. S.W.A. Qadri, Adv.
Mr. Ritesh Kumar, Adv.
Mr. G.S. Makker, Advocate
Mr. Zaid Ali, Adv.
Mr. Amrish Kumar Sharma, Adv.
Mr. Ravindra Bana, Adv.
Ms. Gargi Khanna, Adv.
Mr. Baij Nath Patel, Adv.
Mr. Divya Prakash Pande, Adv.

Mr. Niraj Kumar, Adv.
Mr. Salvador Santosh Rebello, Adv.

Mr. S. Wasim Qadri, Adv.
Mr. Praveen Swarup, Adv.
Mr. Ameet Singh, Adv.
Mr. Ajay Kumar Giri, Adv.

Mr. Haris Beeran, AOR

MR. B.K. PRASAD, AOR

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

Affidavit filed on behalf of East Delhi Municipal Corporation

We have gone through the affidavit filed on behalf of East Delhi Municipal Corporation with regard to disposal of Solid Waste.

The learned Amicus has drawn our attention to order dated 15.02.2000 passed by this Court which required landfills sites to be identified within a period of three weeks. However, the needful has not been done even after the passage of 17 years.

It is stated by the learned ASG that it appears that landfills sites have been identified by the DDA.

No one is present on behalf of the DDA because DDA is not a party to these proceedings.

Issue notice to Mr. V.B. Saharya, standing counsel for the DDA returnable on 04.05.2018 so that there is some identification of landfills sites and handing over its possession.

It is submitted by the learned ASG that the waste and garbage in Bhalswa and Gazipur can propose to be used for construction of roads. He says that some understanding has been reached with the NHAI in this regard.

No one is present on behalf of the NHAI to advise us in the matter.

Issue notice to M/s K.V. Kini & Associates, standing counsel for the NHAI and to the Chief Engineer, NHAI.

The Chief Engineer, NHAI should be present in the Court on the next date of hearing (04.05.2018) to assist us in the matter.

Affidavit filed on behalf of North Delhi Municipal Corporation

The learned Amicus has drawn our attention to the affidavit filed by North Delhi Municipal Corporation particularly on the subject of sanitary landfill sites at Bhalswa, North Delhi Municipal Corporation. It appears that discussions are going on with the Concessionaire, M/s DMSWSL.

It appears that the issue is only with one of payment to be made.

To sort out this issue, we direct the appearance of the Project Director of M/s DMSWSL. The Project Director of M/s DMSWSL and the senior officer of the NDMC should be present in the Court on the next date of hearing (04.05.2018).

Report of the CEC filed by the South Delhi Municipal Corporation (SDMC)

In terms of the Report of the CEC, a total amount of Rs.21.08 crores (which is 5% of the costs) has been paid by the SDMC to the Ridge Management Board Fund.

In view of the above, nothing further survives in this application.

The application is allowed.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER