

^aJIN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (C) NO.725 OF 1994
IN RE: NEWS ITEM PUBLISHED IN HINDUSTAN TIMES
"AND QUIET FLOWS THE MAILY YAMUNA

WITH
WRIT PETITION (C) NO.914 OF 1996
SECTOR 14 RESIDENTS WELFARE
ASSOCIATION & ORS. PETITIONER(S)

VERSUS
STATE OF DELHI & ORS. RESPONDENT(S)

WITH
WRIT PETITION (C) NO.533 OF 2012
ALL INDIA LOKADHIKAR SANGATHAN PETITIONER(S)

VERSUS
UNION OF INDIA & ORS. RESPONDENT(S)

WITH
WRIT PETITION (C) NO.1082 OF 2013
ASHOK NARAIN SHARMA @ GORA PETITIONER(S)

VERSUS
NATIONAL GANGA RIVER BASIN AUTHORITY
& ORS. RESPONDENT(S)

WITH
CONTEMPT PETITION (C) NO.64 OF 2013

IN
WRIT PETITION (C) NO.914 OF 1996
SECTOR 14 RESIDENTS WELFARE
ASSOCIATION PETITIONER(S)

VERSUS
1

DEBASIS MUKHERJEE, CEO, DELHI JAL
BOARD & ORS. RESPONDENT(S)
WITH
INTERLOCUTORY APPLICATION NOS.20 & 21
(For directions)

IN
WRIT PETITION (C) NO.4677 OF 1985
M.C. MEHTA PETITIONER(S)

VERSUS
UNION OF INDIA & ORS. RESPONDENT(S)

O R D E R

Writ Petition (C)No.725/1994 :

1. An Affidavit dated 9.3.2017 has been filed in this Court for and on behalf of Delhi Jal Board, in furtherance of the motion Bench order dated 20.2.2017. Having heard learned counsel for the rival parties and having perused various orders passed by this Court from time to time, we are of the view, that it is not appropriate to have two parallel jurisdictions to deal with the same controversy. We are satisfied, that the National Green Tribunal is examining the issue in hand effectively, and is passing appropriate orders from time to time. In the instant view of the matter, we consider it just and appropriate to transfer these proceedings and the writ petition to the National Green Tribunal.

2

2. Ordered accordingly.

3. We are also satisfied, that liberty should be granted to the National Green Tribunal to pass appropriate orders, requiring the amicus curiae in this case, namely, Mr. Ranjit Kumar, learned senior counsel, to move an appropriate interlocutory application before this Court, in case there is any constitutional or other legal hurdle, which is beyond the adjudicatory capacity of the National Green Tribunal, but needs to be redressed.

4. In case the amicus curiae Mr. Ranjit Kumar files any such application before this Court, it shall be processed

by the Registry of this Court, and shall be placed before this Court for consideration, without any delay.

5. The writ petition is disposed of in the above terms.

Writ Petition (C)No.914/1996 :

1. The instant writ petition is disposed of with the same directions, which have been passed today in Writ Petition (C) No.725/1994, In Re: News Item Published in Hindustan Times â And quiet flows the maily Yamunaâ \235.

2. In the instant petition also, liberty is granted to the National Green Tribunal to pass appropriate orders, requiring the amicus curiae in this case, namely, Mr. A.K. Ganguli, learned senior counsel, to move an appropriate interlocutory application before this Court, in case there is any constitutional or other legal hurdle, which is

3

beyond the adjudicatory capacity of the National Green Tribunal, but needs to be redressed.

3. In case the amicus curiae Mr. A.K. Ganguli files any such application before this Court, it shall be processed by the Registry of this Court, and shall be placed before this Court for consideration, without any delay.

Writ Petition (C)No.1082/2013 :

1. For the reasons, as have been recorded in Writ Petition (Civil) No.3727/1985, M.C. Mehta Vs. Union of India & Ors., vide order dated 24 th January, 2017, the proceedings in the instant writ petition are also hereby transferred for adjudication to the National Green Tribunal.

2. in view of the above, the writ petition stands disposed of.

Writ Petition (C) No.533/2012, Contempt Petition (C)No. 64/2013 in Writ Petition (C)No.914/1996 and Interlocutory Application Nos.20 & 21 in Writ Petition (C) No.4677/1985 :

1. In view of the order passed today in Writ Petition (C) No.725/1994 In Re: News Item Published in Hindustan Times â And quiet flows the maily Yamunaâ \235, the proceedings in the instant writ petition, contempt petition as well as the interlocutory applications, stand transferred to the National Green Tribunal.

4

2. Writ Petition (C) No.533/2012, Contempt Petition (C)No. 64/2013 in Writ Petition (C)No.914/1996 and Interlocutory Application Nos.20 & 21 in Writ Petition (C) No.4677/1985 are hereby disposed of.

.....CJI.

[JAGDISH SINGH KHEHAR]

.....J.

[Dr. D.Y. CHANDRACHUD]

New Delhi;

24 th

April, 2017.

5

ITEM NO.28

COURT NO.1

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).725/1994

IN RE: NEWS ITEM PUBLISHED IN HINDUSTAN TIMES "AND QUIET

FLows THE MAILY YAMUNA

(With appln.(s) for permission, directions, intervention and impleadment and office report)

WITH

Writ Petition (C) Nos.914/1996, 533/2012 & 1082/2013

Contempt Petition (C) No.64/2013 in Writ Petition (C) No.914/1996

I.A.Nos.20 & 21 In Writ Petition (C) No.4677/1985

(For directions and Office Report)

Date : 24/04/2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Mr. Ranjit Kumar,SG (A.C.)

Mr. A.K. Ganguli,Sr.Adv.(A.C.)

For appearing parties :

Mr. Ranjit Kumar,SG

Mr. P.S. Patwalia,ASG

Ms. Kiran Bhardwaj,Adv.

Mr. S.W.A. Qadri,Adv.

Mr. R.K. Rathore,Adv.

Ms. Rashmi Malhotra,Adv.

Mr. Gautam Sharma,Adv.

Mr. Gaurav Sharma,Adv.

Ms. Kiran Bhardwaj,Adv.

Ms. Sunita Sharma,Adv.

Mr. Rajat Singh,Adv.

Mr. Raj Bahadur,Adv.

Mr. Anupam Yadav,Adv.

Mr. Ajay Kumar Singh,Adv.

For Mr. B.K. prasad,Adv.

& Mr. G.S. Makker,Adv.

& Mr. M.K. Maroria,Adv.

6

Mr. Atmaram N.S. Nadkarni,ASG

Mr. Ajay Sharma,Adv.

Ms. Prerna Kumari,Adv.

Ms. Anil Katiyar,Adv.

Mr. Rohit Kumar Singh,Adv.

Mr. T. Sudhakar,Adv.

For Mr. Prashant Bhushan,Adv.

Mr. M.C. Mehta,Adv.(In-person)(Not present)

Mr. Shiv Sagar Tiwari,Adv.

Mr. Radha Shyam Jena,Adv.

State of Haryana Mr. Anil Grover,AAG

Mr. Sanjay Kumar Visen,Adv.

Mr. Shekhar Raj Sharma,Adv.

Ms. Noopur Singhal,Adv.

Mr. Satish Kumar,Adv.

Mr. Sandeep Yadav,Adv.

Mr. Anish Kumar Gupta,Adv.

Mr. Chandra Shekhar Suman,Adv.

Mr. R.K. Rajwanshi,Adv.

Ms. Deepshikha Bharati,Adv.

Ms. Rita Gupta,Adv.

MCD Mr. R.K. Singh,Adv.

Mr. Suvesh Kumar,Adv.

Mr. Praveen Swarup,Adv.

CPCB Mr. Vijay Panjwani,Adv.

State of UP Dr. Sandeep Singh,Adv.

Ms. Pareena Swarup,Adv.

Ms. Alka Sinha,Adv.

Mr. Anuvrat Sharma,Adv.

State of Punjab Mr. S.K. Pabbi,AAG

Ms. Disha Singh,Adv.

Mr. Shivendu Gaur,Adv.

State of Gujarat Ms. Hemantika Wahi,Adv.

For M/s. Lawyers Associated,Advs.

Ms. Naresh Bakshi,Adv.

Mr. Ravindra Bana,Adv.

Mr. Girish Chandra,Adv.

7

Mr. M.R. Shamshad,Adv.

Mr. R.P. Mehrotra, Adv.
Mr. Sudhir Kulshreshtha, Adv.
Mr. Sameer Kulshreshtha, Adv.
Mr. Ajay K. Agrawal, Adv.
Mr. Yunus Malik, Adv.
Ms. Rajeeta Raj, Adv.
Ms. Farha Malik, Adv.
For Mr. Prashant Chaudhary, Adv.
Govt. of NCT of Mr. D.N. Goburdhan, Adv.
Delhi, NCRPB Ms. Pallavi Chopra, Adv.
Mr. Ashok K. Srivastava, Adv.
Mr. Vikas Mehta, Adv.
Mr. Surya Kant, Adv.
Mrs. Shiel Sethi, Adv.
Mr. Satish Vig, Adv.
DDA Mr. Vishnu B. Saharya, Adv.
Mr. Viresh B. Saharya, Adv.
For M/s. Saharya & Co., Advs.
Ms. Geetanjali Mohan, Adv.
Ms. Binu Tamta, Adv.
Mr. Ardhendumauli Kumar Prasad, Adv.
Ms. Charu Ambwani, Adv.
Mr. V.K. Verma, Adv.
Mr. Jatinder Kumar Bhatia, Adv.
Mr. Suresh Chandra Tripathy, Adv.
Mr. Sarad Kumar Singhania, Adv.
Mr. Chandra Prakash, Adv.
Mr. Parmanand Gaur, Adv.

8

Mr. Ravindra Kumar, Adv.
Delhi Jal Board Mr. Alok Gupta, Adv.
Mr. Pradeep Misra, Adv.
Mr. T. Mahipal, Adv.
Mr. Suraj Singh, Adv.
Mr. Nikhil Nayyar, Adv.
Mr. P. Parmeswaran, Adv.
Mr. Dinesh Kumar Garg, Adv.
Mr. Abhishek Garg, Adv.
Mr. Dhananjay Garg, Adv.
Mr. Deepak Mishra, Adv.
State of Mr. Rajiv Nanda, Adv.
Uttarakhand
State of Jharkhand Mr. Tapes Kumar Singh, Adv.
Mr. Kumar Anurag Singh, Adv.
Mohd. Waquas, Adv.
Mr. Aditya Pratap Singh, Adv.
Mr. Shreekant N. Terdal, Adv.
State of Bihar Mr. Abhinav Mukerji, Adv.
Ms. Bihu Sharma, Adv.
Ms. Purnima Krishna, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Writ Petition Nos.725/1994, 914/1996, 533/2012 and 1082/2013, Contempt Petition (C) No.64/2013 in Writ Petition (C) No.914/1996 and Interlocutory Application Nos.20 & 21 in Writ Petition (C) No.4677/1985 are disposed of in terms of the signed order.
Pending applications stand disposed of.

(Sarita Purohit)

Court Master

(signed order is placed on the file)

(Renuka Sadana)

Assistant Registrar

9