

ITEM NO.1

COURT NO.2

SECTION PIL

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

I.A.Nos.2472-2473 IN I.A.No.22 IN WRIT PETITION (CIVIL) NO(s). 4677  
OF 1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for impleadment and directions)  
[on behalf of Sh.Sat Ram Das & Ors.)

Date: 31/05/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE C.K. PRASAD  
(VACATION BENCH)

For Petitioner(s)

For Respondent(s)

Mr.R.Venkataramani, Sr.Adv.  
Mr.Sudershan Rajan, Adv.  
Mr.Sachin Chopra, Adv.  
Mr.Kamal Bansal, Adv.

Mr.D.N.Goburdhan, Adv.

Mr.Surya Kant, Adv.

Mr.Vishnu B.Saharya, Adv.  
For M/s. Saharya & Co., Adv.

Mr.S.Wasim A.Qadri, Adv.  
Mr.Gunwant Dara, Adv.  
Mrs.Kiran Bhardwaj, Adv.  
Ms.Anil Katiyar, Adv.  
Mr.M.P.S.Tomar, Adv.  
Mr.D.S.Mahra, Adv.

Mr.Ravindra Kumar, Adv.

Ms.Vandana Mishra, Adv.  
Mr.Manoj Kr.Dwivedi, Adv.  
Mr.G.Venkateswara Rao, Adv.

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

I.A.No.2472 of 2010 In I.A.No.22 In W.P.(C) No. 4677 of 1985

This is an application by Sat Ram Dass and others for their  
impleadment as parties in the proceedings of W.P.(C) No. 4677 OF  
1985.

We have heard Shri R. Venkataramani, learned senior counsel appearing for the applicants and perused the records.

Since the averments contained in the application are absolutely vague, we deem it proper to adjourn the same till the second week of July, 2010 to enable the applicants to file a better affidavit.

I.A.No.2473 of 2010 In I.A.No.22 In W.P.(C) No. 4677 OF 1985

This is an application by Sat Ram Dass and others for passing of appropriate order for restraining the Monitoring Committee from sealing their shops on the ground of non-payment of conversion charges.

We have heard Shri R. Venkataramani, learned senior counsel appearing on behalf of the applicants and carefully scanned the averments contained in the application. Though, the application runs into 25 pages and a 2-page affidavit has been filed in support thereof, the only averment which is relevant to the prayer made by the applicants is contained in para 37 which reads thus:

"37. That the Applicants apprised the Monitoring Committee of the aforesaid order dated 29.05.2009 and requested the Monitoring Committee not to seal the shops as the issues of misuser and

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payment of commercial conversions charges was pending adjudication before the Hon'ble Delhi High Court. Thereafter several meetings took place between the Applicants, Monitoring Committee and Senior Officials of NDMC, however, NDMC in utter violations of its earlier stand to the detriment of the Applicants. Further, NDMC failed to comprehend its own office orders and breached its own undertakings given to the court while treating similarly placed shopkeepers of other markets."

In our view, the above extracted averments are vague to the core. The applicants have not disclosed as to when they or any one of them appeared before the Monitoring Committee and apprised it about the order passed by the High Court in the writ petition questioning the demand of conversion charges, on what dates the meetings took place between the applicants, Monitoring Committee and senior officials of N.D.M.C. Therefore, we do not find any justification to entertain their prayer for grant of stay.

The Interlocutory Application is accordingly dismissed.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master