

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

IA NOS.41-42 IN WRIT PETITION (CIVIL) NO(s). 113 OF 1996

OKHLA ENCLAVE JOINT ACTION COMMITTEE

Petitioner(s)

VERSUS

U O I &amp; ORS

Respondent(s)

(For directions and exemption from filing O.T. and office report)

WITH

I.A. NOS. 8 &amp; 9 IN W.P.(C) NO. 876 OF 1996

(For directions and exemption from filing O.T. and office report)

Date: 14/12/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)  
in IA.42-43Mr. Rana Mukherjee, Adv.  
Mr. A.H. Laskar, Adv.  
Mr. Anand, Adv.  
Mr. Abhijit Sengupta, Adv.

in WP.876/96

Mr.S.K. Dholakia, Sr.Adv.  
Mr. Ashish Dholakia, Adv.  
Ms. Sumita Hazarika, Adv.  
Mr. Adarsh Peradarshni, Adv.

Ms. Minakshi Vij,Adv.

Mr. P. Narasimhan, Adv.

For Respondent(s)

Mr. R.K. Shukla,Sr.Adv.  
Mr. Ashok Bhan, Adv.  
Mr.Y.P. Mahajan, Adv.  
Mr. DS Mehra, Adv.  
Mr. P. Parmeswaran, Adv.

Mr. H.K. Puri,Adv.

Mr. Ranbir Singh Yadav ,Adv

Mr. P Narasimhan, Adv.  
Mr. Prem Malhotra, Adv.

Mr. Kishan Datta,Adv.

Mr. Abhijit Sengupta,Adv.

Mr. Arun K Sinha, Adv.  
Mr. Rakesh Singh, Adv.  
Mr.Mukesh Kumar Sinha, Adv.

Mr.T.V.George,Adv.

Mr. Vikas Singh, ASG  
Mr. Sanjeev K. Bhardwaj, Adv.  
Mr. B.K. Prasad, Adv.

UPON hearing counsel the Court made the following  
ORDER

I.A.No.8 in WP.No.876/1996:

Notice was issued on this application on May 15, 2007.  
Service is complete. In spite of that some respondents do not appear.

In view of the fact that affidavit in reply is not filed, in our opinion, ends of justice would be met if we grant one more opportunity to the respondents to file affidavit. Let such affidavit be filed within three weeks.

List in the last week of January, 2008.

I.A.No.41 in WP.No.113/1996:

We have heard learned counsel for the petitioner/applicant and for respondent No.1. The learned counsel for respondent Nos. 2 and 3 is not present.

We have also perused the affidavits in reply filed by respondent Nos. 2 and 3 as also by respondent No.1.

In the present application petitioners have complained that the respondents are not allowing them to construct their houses on their respective plots on which sale deed and possessions have been given to them.

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In view of the above fact, the abovesaid assertion is not disputed by the respondents. In our opinion, ends of justice would be met if we grant at this stage prayer in terms of payer clause (b) which reads thus:

"direct the respondent No.2 to approve the Proposed Building Plans of petitioner's/applicant's plots and enable them to construct their houses on their respective plots so that remaining alive petitioners can enjoy the roof of their own houses in the evening of their life;"

[ Usha Bhardwaj ]  
Court Master

[ Vinod Kulvi ]  
Court Master