

IN 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

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. 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 "And quiet flows the maily Yamuna".

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

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<sup>th</sup> 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 "And quiet flows the maily Yamuna", the proceedings in the instant writ petition, contempt petition as well as the interlocutory applications, stand transferred to the National Green Tribunal.

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<sup>th</sup> April, 2017.

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) .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 :

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& Mr. G.S. Makker,Adv.  
& Mr. M.K. Maroria,Adv.

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Mr. Rohit Kumar Singh, Adv.  
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For Mr. Prashant Bhushan, Adv.

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Mr. Vikas Mehta,Adv.

Mr. Surya Kant,Adv.

Mrs. Shiel Sethi,Adv.

Mr. Satish Vig,Adv.

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Mr. Viresh B. Saharya,Adv.

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Ms. Charu Ambwani,Adv.

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Mr. Sarad Kumar Singhania,Adv.

Mr. Chandra Prakash,Adv.

Mr. Parmanand Gaur,Adv.

Mr. Ravindra Kumar,Adv.

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Mr. Pradeep Misra,Adv.  
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Mr. Nikhil Nayyar,Adv.

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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

(Renuka Sadana)  
Assistant Registrar

(signed order is placed on the file)