

ITEM NO.1

COURT NO.3

SECTION XIV

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

I.A.NOS. 42-45, 46-49, 50-53, 54-57/2015, 58-61, 62-65, 66-69, 70-73, 74-77, 78-81 AND 82-85/2016 in Petition(s) for Special Leave to Appeal (C) No(s).16385-16388/2012

(Arising out of impugned final judgment and order dated 14/03/2012 in CM No. 3312/2011 14/03/2012 in WP No. 3590/2008 14/03/2012 in WP No. 4124/2011 14/03/2012 in WP No. 7223/2007 14/03/2012 in WP No. 8765/2009 passed by the High Court Of Delhi At New Delhi)

RAHUL GUPTA

Petitioner(s)

VERSUS

DELHI DEVT.AUTH.& ORS.

Respondent(s)

(For clarification of Court's order and exemption from filing O.T. and permission to file additional documents and office report)

With Contempt Petition (C) Nos.764-767 of 2016 in SLP(C) Nos.16385-16388 of 2012

Date : 18/10/2016 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE ARUN MISHRA

Counsel for the parties

Mr. Dhruv Mehta, Sr. Adv.
Ms. Esha Mazumdar, Adv.
Ms. Priyanjali Singh, Adv.

Mr. V. Giri, Sr. Adv.
Ms. Esha Mazumdar, Adv.
Ms. Svadha Shankar, Adv.
Mr. Krishna, Adv.
Ms. Priyanjali Singh, Adv.

Mr. Narendar Hooda, Sr. Adv.
Mr. Akhil Sachar, Adv.
Mr. Aviral Dhirendra, Adv.
Ms. Jasmine Damkewala, Adv.

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

Mr. D.K. Sharma, Adv.
Ms. Monika Sharma, Adv.
Mr. Rohit Vats, Adv.

Mr. Alok Gupta, Adv.

Mr. P. Parmeswaran, Adv.

Mr. Ajay Bansal, Adv.
Mr. Praveen Swarup, Adv.
Mr. Gaurav Yodava, Adv.

Mr. R. Nedumaran, Adv.

Mr. R. P. Gupta, Adv.

Mr. S. K. Verma, Adv.

Mr. T. V. S. Raghavendra Sreyas, Adv.

Mr. Vikas Upadhyay, Adv.
Mr. Sandeep Singh, Adv.

MR. A. Sharan, Sr. Adv.
Ms. Binu Tamta, Adv.
Mr. V.B. Saharia, Adv.
Mr. Dhruv Tamta, Adv.

Mr. A.K. Sanghi, Adv.
Ms. Usha Reddy, Adv.
Ms. Gunwant Dara, Adv.
Mr. D.S. Mahra, Adv.
Ms. Sushma Suri, Adv.

Respondent-in-person, Adv.

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

I.A. Nos.42-45 of 2015

Heard Mr. Dhruv Mehta, learned Senior Counsel appearing for the applicant and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated

28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 13.1.2015 in W.P.(C) No.323/2015, (Annexure A-4 in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicant has re-entered possession or otherwise, he shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. Nos.46-49 of 2015

Heard Mr. Dhruv Mehta, learned Senior Counsel appearing for the applicants and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated 28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 23.3.2015 in W.P.(C) No.2844/2015, (Annexure A-3 in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicants have re-entered possession or otherwise, they shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. Nos.50-53 of 2015

Heard Mr. V. Giri, learned Senior Counsel appearing for the applicants and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated 28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 04.3.2015 in W.P.(C) No.1915/2015, (Annexure A-4 in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicants have re-entered possession or otherwise, they shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. Nos.58-61 of 2015

Mr. Narendar Hooda, learned Senior Counsel appearing for the applicants, after arguing for sometime, states that he may be permitted to withdraw the instant interlocutory applications.

We decline permission to the applicants to withdraw the same. We are of the view that in the interests of justice, the matter must be clarified, so that there is conformity and uniformity with this Court's orders dated 10.3.2015 and 28.1.2016, passed in SLP(C) Nos.16385-16388 of 2012.

In view of the above, we are satisfied that the interim order passed by the High Court of Delhi on 9.3.2015, in W.P.(C) No.1882/2015, (Annexure A-6, in the instant interlocutory applications) deserved to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicants have re-entered possession or otherwise, they shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. No.62-65 of 2015

Heard Mr. Narendar Hooda, learned Senior Counsel appearing for the applicant and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated 28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 10.11.2014 in W.P.(C) No.7620/2014, (Annexure A-3, in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicant has re-entered possession or otherwise, she shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the

passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. Nos.54-57 of 2015

Heard learned counsel appearing for the applicants and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated 28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 11.5.2015 in W.P.(C) No.4624/2015, (Annexure A-3, in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicants have re-entered possession or otherwise, they shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. Nos.66-69 of 2015

Heard learned counsel appearing for the applicant and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated 28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 21.4.2015 in W.P.(C) No.3841/2015, (Annexure A-11, in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicant has re-entered possession or otherwise, he shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

I.A. Nos.70-73 of 2015

Heard learned counsel appearing for the applicants and perused the interlocutory applications.

In view of the order dated 10.3.2015, passed by this Court in SLP(C) Nos.16385-16388 of 2012, and a subsequent order dated

28.1.2016, passed in the same special leave petitions, the interim order passed by the High Court of Delhi on 22.4.2015 in W.P.(C) No.3967/2015, (Annexure A-15, in the instant interlocutory applications), is liable to be vacated, and is accordingly vacated.

We grant liberty to the Delhi Development Authority to produce a copy of this order in all matters, pertaining to land acquisition relating to the Rohini Residential Scheme, pending before the High Court, for vacation of similar interim directions.

It is made clear that in case the applicants have re-entered possession or otherwise, they shall vacate the said land and hand over its possession forthwith to the Delhi Development Authority, failing which it shall be assumed to be in possession of the Delhi Development Authority, after the expiry of ten days from the passing of the instant order.

With the aforesaid directions, these interlocutory applications stand disposed of.

As a sequel to the above, pending I.A. Nos.74-77 and 78-81/2016 for exemption from filing official translation and I.A. Nos.82-85/2016, for permission to file additional documents, stand disposed of.

Contempt Petition (C) Nos.764-767 of 2016 in SLP(C) Nos.16385-16388 of 2012

Mr. A. Sharan, learned Senior Counsel appearing for the Delhi Development Authority, prays for two weeks' time so as to enable him to file status report.

Prayer is allowed.

Status Report indicating compliance of this Court's order dated 10.3.2015, be filed within two weeks from today.

Post for hearing after three weeks.

(Sanjay Kumar-II)
Court Master

(Renuka Sadana)
Assistant Registrar