

ITEM NO.18

COURT NO.11

SECTION IV

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

CONTEMPT PETITION . (C) NOS. 606-613/2004

IN

C.A. NO. 4734, 4737, 4739, 4740, 4744, 4726-4727 & 4750 OF 2002

M/S. RAI & SONS

PETITIONER(S)

VERSUS

O.P. VERMA & ORS.

RESPONDENT(S)

(WITH APPLN. (S) FOR INTERIM DIRECTIONS AND EXEMPTION FROM PERSONAL APPEARANCE AND IMPLEADMENT AND FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND PLACING ON RECORD THE REPLY TO THE REPORT OF THE NEGOTIATION COMMITTEE AND WITH OFFICE REPORT)
(FOR FINAL DISPOSAL)

WITH

CONMT.PET.(C) NO. 109/2005 IN C.A. NOS. 4752-4807/2002

(WITH APPLN.(S) FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND PERMISSION TO PLACE ADDL. DOCUMENTS AND WITH OFFICE REPORT)
(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 46/2005 IN C.A. NO. 4768/2002

(WITH APPLN.(S) FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND WITH OFFICE REPORT)
(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 47/2005 IN C.A. NO.4797/2002

(WITH APPLN.(S) FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND WITH OFFICE REPORT)
(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 48-53/2005 IN C.A. NO. 4762, 4763, 4796, 4797, 4801 & 4805/2002

(WITH APPLN.(S) FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND WITH OFFICE REPORT)
(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 77-78/2005 IN C.A. NO. 4801/2005 & C.A. NO. 4805/2005

(WITH APPLN.(S) FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND WITH OFFICE REPORT)

(FOR FINAL DISPOSAL)

SLP(C) NO. 2384/2004

(WITH APPLN.(S) FOR C/DELAY IN FILING SLP AND EXEMPTION FROM FILING C/COPY AND OFFICE REPORT)

(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 203/2005 IN C.A. NO. 4776/2002 (FOR PREL. HEARING)

(FOR FINAL DISPOSAL)

CONMT. PET. (C) NO.22/2006 IN C.A. NOS.4736, 4735, 4738, 4742, 4745, 4746 & 4733/2002

(WITH APPLN.(S) FOR INTERIM DIRECTIONS AND IMPLEADMENT AND PERMISSION TO FILE ADDITIONAL DOCUMENTS AND FOR PLACING NEGOTIATION REPORT ALONG WITH ANNEXURES AND PLACING ON RECORD THE REPLY TO THE REPORT OF THE NEGOTIATION COMMITTEE AND OFFICE REPORT)

I.A. NOS.148-150 IN C.A. NO. 4793/2002

(FOR RECALLING THE COURT'S ORDER AND OFFICE REPORT)

I.A. NOS.4-6 IN SLP(C) NO.SLP(C) NO. 5115-5117/2002

(FOR DIRECTIONS)

CONMT.PET.(C) NO. 154-156/2008 IN SLP(C) NO. 5115-5117/2002

(WITH OFFICE REPORT)

(FOR FINAL DISPOSAL)

CONMT.PET.(C) NO. 229/2010 IN C.A. NO. 4756/2002

(WITH APPLN.(S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND AMENDMENT AND PERMISSION TO BRING ON RECORD THE ADDITIONAL FACTS AND DIRECTIONS)

(FOR FINAL DISPOSAL)

I.A. NO.151 IN C.A. NO.4752/2002

(FOR INTERVENTION/CLARIFICATION/MODIFICATION WITH OFFICE REPORT)

Date : 02/09/2014 These cases were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Parties (s)

Mr. S.B. Upadhyay, Sr. Adv.
Mr. Pawan Upadhyay, Adv.
Mr. Param Mishra, Adv.
Ms. Sharmila Upadhyay, Adv.

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Mr. Anil Kshetarpal, Sr. Adv.
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Mr. Arjun Harkauli, Adv.

Mr. Himanshu Shekhar, Adv.

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Mrs. Lalita Kaushik, Adv.

Mr. R.D. Upadhyay, Adv.

Ms. Kamini Jaiswal, Adv.

Mr. P.N. Puri, Adv.

Mr. Jagjit Singh Chhabra, Adv.

Mr. Ramesh Babu M.R., Adv.

Mr. D. Goburdhan, Adv.

Mr. Bharat Sangal, Adv.

Mr. Jatin Javeri, Adv.

Dr. Kailash Chand, Adv.

Ms. Prasanthi Prasad, Adv.

Mr. Arjun Harkauli, Adv.

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

CONMT. PET. (C) NO.22/2006 IN C.A. NOS.4736, 4735, 4738, 4742, 4745, 4746 & 4733/2002 AND CONMT.PET.(C) NO. 154-156/2008 IN SLP(C) NO. 5115-5117/2002

The Contempt Petition (Civil) No. 22/2006 in C.A. Nos.4736, 4735, 4738, 4742, 4745, 4746 & 4733/2002 and Contempt Petition (Civil) Nos.154-156/2008 in SLP(C) Nos. 5115-5117/2002 are disposed of in terms of the signed order.

List rest of the Contempt Petitions for further hearing on 23rd September, 2014.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NO.22/2006

IN

C.A. NOS.4736, 4735, 4738, 4742,
4745, 4746 & 4733/2002

NAYARSONS PRINTERS ETC.ETC. ...PETITIONERS

VERSUS

LT. GEN. S.F. RODRIGUES (RETD)

& ORS.

...RESPONDENTS

WITH

CONMT.PET.(C) NO. 154-156/2008

IN

SLP(C) NO. 5115-5117/2002

[STANDARD SERVICES & ORS. VERSUS R.K. RAO, ESTATE
OFFICER]

O R D E R

Applications for impleadment are allowed and the applicants are directed to be impleaded as contempt petitioners.

The entitlement of the contempt petitioners in terms of paragraph 38 read with paragraph 40 of the judgment of this Court in Hira Tikko versus Union Territory, Chandigarh and others [(2004) 6 SCC 765] would be to receive allotment of suitable plot in the New Industrial Zone i.e. Mouli Jagran at the price prevailing on the date of such fresh allotment. The grievance is that by fixing the price of Rs.28,200/- per square yard, the spirit of the aforesaid order of this Court has been violated. We do not agree. This Court would not go into the niceties of price determination or the correctness of such determination in the exercise of its contempt jurisdiction. All that can be recognized in favour of the contempt petitioners in the light of the decision of Hira Tikko (supra) is a right to

receive allotment at a price to be determined. The said right has not been breached in any manner by the respondents. Accordingly, we find no merit in this group of contempt petitions. They are disposed of.

While disposing of this group of contempt petitions, we make it clear that all eligible non-consentee allottees will be offered allotment at the rate of Rs.28,200/- per square yard. All such allottees, who have been found ineligible and their cases have been rejected by means of speaking orders, will be at liberty to challenge such orders before the appropriate forum.

It is stated by Mr. Harin P. Raval, learned Senior Counsel appearing for the respondent - Chandigarh Administration that the cases of Contempt Petitioners in Contempt

Petition (Civil) Nos.154-156 of 2008 in Special Leave Petition (Civil) Nos.5115-5117 of 2002 have been rejected by the Negotiation Committee and such rejection has been communicated to them by letter dated 31st January, 2013. If that be so, it will be also open for the petitioners to challenge the said order in an appropriate forum.

The contempt petitions are disposed of in the above terms.

.....,J.
(RANJAN GOGOI)

.....,J.
(R.K. AGRAWAL)

NEW DELHI
SEPTEMBER 02, 2014