

REPORT OF THE MONITORING COMMITTEE
(Constituted by the Hon'ble Supreme Court)

Report No.158
Dated: 20.08.2019

IN THE SUPREME COURT OF INDIA

W. P. (CIVIL) NO. 4677/1985

IN THE MATTER OF

M.C. MEHTA

....

Petitioner

Versus

UNION OF INDIA & OTHERS

....

Respondents

REPORT OF MONITORING COMMITTEE TO APPLICATION NO.177420
OF 2019 FILED ON BEHALF OF SDMC.

MOST RESPECTFULLY SHOWETH:

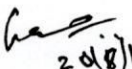
1. That this Hon'ble Court vide its order dated 19.07.2019, inter-alia, directed the Monitoring Committee to file reply to the above application.
2. That by way of present application, SDMC is seeking directions to allow the SDMC to de-seal the properties which fulfilled the MPD-2021 norms as their owners have deposited the requisite charges.
3. That in this regard, it is submitted that it is an another attempt on the part of the SDMC to get the orders passed by this Hon'ble Court dated 15.12.2017 modified without mentioning the same in the contents of the present application knowing fully well that such attempts by the other applicants have already failed whereby the Hon'ble Court dismissed such applications.
4. That it is pertinent to mention that in the body of the application, applicants have mentioned that they are seeking redressal regarding the properties which were sealed at the instance of the Monitoring Committee whereas in the prayer applicant has generalized the prayer in order to mislead this Hon'ble Court and to get favourable orders.


5. That perusal of the application shows that the Notifications which have been mentioned by the applicant are subjudice before this Hon'ble Court and in this regard, Monitoring Committee is acting on the advice of the learned Amicus Curiae, who has advised that since the said Notifications are subjudice before this Hon'ble Court, the same should not be acted upon by the Monitoring Committee though there may be no stay on the said Notifications. However, if this Hon'ble Court approve, the implementation of the new Notifications issued and filed before this Hon'ble Court by the DDA, the Monitoring Committee will accordingly extend the benefit of the said Notifications on merits of the cases filed before the Monitoring Committee for permanent desealing as per directions dated 15.12.2017.

6. That it is further revealed that instead of guiding the general public regarding the procedure to get the properties de-sealed in terms of order dated 15.12.2017 passed by this Hon'ble Court, SDMC preferred to file the present application for modification of the order dated 15.12.2017 passed by this Hon'ble Court.

Under the circumstances mentioned hereinabove, application under reply may kindly be dismissed and SDMC be directed to properly guide the public at large in terms of order dated 15.12.2017 passed by this Hon'ble Court to get their properties de-sealed.

Not in office
(BHURE LAL)
MEMBER


20/8/19
(K.J. RAO)
MEMBER


(S.P. JHINGON)
MEMBER
Naj Gen
20 Aug'19