

ITEM NO.1 Court 5 (Video Conferencing) SECTION IV-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Special Leave to Appeal (C) No(s). 7220-7221/2017

(Arising out of impugned final judgment and order dated 29-04-2016 in CWP No. 19148/2010 29-04-2016 in COCP No. 1135/2012 passed by the High Court Of Punjab & Haryana At Chandigarh)

MUNICIPAL CORPORATION FARIDABAD Petitioner(s)

VERSUS

KHORI GAON RESIDENTS WELFARE ASSOCIATION (REGD.)
THR ITS PRESIDENT & ORS. Respondent(s)

(ONLY I.A. NO. 20261/2021 APPLICATION FOR DIRECTION TO BE LISTED
IA No. 20261/2021 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 05-04-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Samar Vijay Singh, Addl. AG
Mr. Arun Bhardwaj, Sr. Adv.
Mr. Vishwa Pal Singh, AOR

For Respondent(s)

Mr. N.P. Singh, Sr. Adv.
Mr. Vedant Singh, AOR
Mr. Vinay Kumar Dubey, Adv.
Mr. Vaibhav Niti, Adv.
Mr. Vishisht Singh, Adv.

Mr. Ram Ekbal Roy, Adv.
Mr. Bijendra Prasad Singh, Adv.
Mr. Priyanka Das, Adv.
Mr. Surya Hari Kamuju, Adv.
Mr. Binay Kumar Das, AOR

Mr. Satya Mitra, AOR

Ms. Aishwarya Bhati, ASG
Mr. Sumit Teterwal, Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. S.K. Singhania, Adv.
Mr. Vanshdeep Dalmia, Adv.

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

I.A. NO. 20261/2021

Heard learned counsel for the applicant.

This application is to restrain the petitioner-Corporation from proceeding further without complying with the order dated 29.04.2016. The Corporation had issued demolition report dated 15.09.2020. Pursuant to which, the applicant was called upon to submit all relevant documents to justify his/her occupation in the premises erected on the forest land. If the structure is unauthorized, the Corporation is obliged to take necessary steps in accordance with law. That has been mentioned in our order dated 19.02.2020.

Mr. Arun Bhardwaj, learned senior counsel for the Corporation submits that due process is being followed and if the person is found to be in authorized occupation, appropriate steps are being taken as per the policy of the State which is binding on the Corporation.

In that case, nothing more is required to be done in this application. The application needs to be disposed of.

For the sake of clarity, we stay the operation of the impugned judgment and order so that the Corporation will be free to take steps against all the unauthorized structure(s) on the forest land as noted in our order dated 19.02.2020, in accordance with law and the extant applicable rehabilitation policy of the State Government.

Ordered accordingly.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)