

OUT TODAY

ITEM NO.302 + 309 + 311 COURT NO.4

SECTION PIL-W

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). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: COLOUR CODED STICKERS(1) REPORT NO. 103 SUBMITTED BY EPCA (SPECIAL REPORT FOR DELAY IN IMPLEMENTATION OF COLOUR CODED STICKERS ON VEHICLES) AND IA NO. 168887/2019 (APPLN. FOR EXEMPTION FROM FILING O.T. ON BEHALF OF STATE OF U.P.)IN RE: DIESEL VEHICLES(2) IA NO. 79444/2019 (APPLN. FOR DIRECTIONS ON BEHALF OF EAST DELHI MUNICIPAL CORPORATION)(3) IA NO. 177432/2018 (APPLN. FOR DIRECTIONS ON B/O NORTH DELHI MUNICIPAL CORPORATION)(4) IA NO. 142872/2019 (APPLN. FOR MODIFICATION OF ORDERS DT. 16.12.2015 AND 31.03.2016 ON B/O DY. COMMISSIONER OF POLICE)IN RE: PARKING POLICY(5) REPORT NO. 104 SUBMITTED BY EPCA (REGARDING PARKING PLANS FOR KRISHNA NAGAR, KAMLA NAGAR, TECHNOLOGY FOR PARKING MANAGEMENT AND PLANS FOR LAST MILE CONNECTIVITY)IN RE: THREE WHEELERS(6) IA NO. 176097/2018 (APPLN. FOR CLARIFICATION ON B/O BAJAJ AUTO LTD. ALONGWITH REPORT NOS. 95 AND 105 SUBMITTED BY EPCA) (7) IA NO. 39622/2019 (APPLN. FOR INTERVENTION IN IA NO. 176097/2018 ON B/O PIAGGIO VEHICLES PVT. LTD.)(8) IA NOS. 72210 AND 72236/2018 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O NYAY BHOOMI)(9) IA NOS. 119813 AND 119815/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O BHARTIYA TIPACHIYA CHALAK SANGH)(10) IA NO. 110238/2019 (APPLN. FOR DIRECTIONS ON BEHALF OF DELHI METRO RAIL CORPORATION LTD.))

WITH

SLP(C) No. 13208/1998 (XVI)

with

W.P. (C) No. 1333 of 2019 (Item No. 309)

(for admission and ex-parte stay and permission to appear in person)

Civil Appeal No(s). 4908-4909/2019 (Item No. 311)

WITH

C.A. No. 9780-9782/2018 (XVII)

(FOR

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA

127600/2018
 FOR EX-PARTE AD-INTERIM RELIEF ON IA 127603/2018
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 24860/2019
 IA No. 127603/2018 - EX-PARTE AD-INTERIM RELIEF
 IA No. 127600/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT)
 C.A. No. 9783/2018 (XVII)

IA No. 118214/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 88157/2019 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 163563/2018 - CLARIFICATION/DIRECTION
 IA No. 127540/2018 - EX-PARTE AD-INTERIM RELIEF
 IA No. 127539/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT
 IA No. 118211/2019 - INTERVENTION APPLICATION
 IA No. 97157/2019 - INTERVENTION/IMPLEADMENT
 IA No. 163563/2018 - INTERVENTION/IMPLEADMENT
 IA No. 97150/2019 - INTERVENTION/IMPLEADMENT
 IA No. 121389/2019 - INTERVENTION/IMPLEADMENT
 IA No. 97140/2019 - INTERVENTION/IMPLEADMENT
 IA No. 119161/2019 - INTERVENTION/IMPLEADMENT
 IA No. 97130/2019 - INTERVENTION/IMPLEADMENT
 IA No. 97119/2019 - INTERVENTION/IMPLEADMENT
 IA No. 89253/2019 - INTERVENTION/IMPLEADMENT
 IA No. 99434/2019 - INTERVENTION/IMPLEADMENT
 IA No. 99431/2019 - INTERVENTION/IMPLEADMENT
 IA No. 69892/2019 - INTERVENTION/IMPLEADMENT
 IA No. 97168/2019 - INTERVENTION/IMPLEADMENT)
 C.A. No. 9785/2018 (XVII)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 133034/2018

FOR EX-PARTE AD-INTERIM RELIEF ON IA 133038/2018
 FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 157075/2018
 IA No. 157075/2018 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 133038/2018 - EX-PARTE AD-INTERIM RELIEF
 IA No. 133034/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT)

Diary No(s). 48292/2018 (XVII)
 (IA FOR PERMISSION TO FILE APPEAL ON IA 15065/2019
 FOR CONDONATION OF DELAY IN FILING APPEAL ON IA 15067/2019
 FOR EX-PARTE STAY ON IA 15068/2019
 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
 15070/2019
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
 15071/2019
 IA No. 15067/2019 - CONDONATION OF DELAY IN FILING APPEAL
 IA No. 15068/2019 - EX-PARTE STAY
 IA No. 15070/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT
 IA No. 15071/2019 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 15065/2019 - PERMISSION TO FILE APPEAL)
 C.A. No. 4906-4907/2019 (XVII)

IA No. 58284/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 3610-3611/2019 (XVII)

Diary No(s). 12263/2019 (XVII)

(FOR ADMISSION and IA No.67873/2019-PERMISSION TO FILE APPEAL and IA No.67874/2019-CONDONATION OF DELAY IN FILING APPEAL and IA No.67876/2019-APPROPRIATE ORDERS/DIRECTIONS and IA No.67875/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-11-2019 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE DEEPAK GUPTA

Counsel for the parties

MR. HARISH N. SALVE, SR. ADVOCATE (A.C.)
[NOT PRESENT]

MS. APARAJITA SINGH, SR. ADVOCATE (A.C.)

MR. A.D.N. RAO, ADVOCATE (A.C.)

MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.)

PETITIONER-IN-PERSON

Mr. A. N. S. Nadkarni, ASG
Ms. Pinky Anand, ASG
Mr. Wasim A. Qadri, Sr. Adv.
Ms. Ruchira Gupta, Adv.
Ms. Archana Pathak Dave, Adv.
Mr. Vibhu Shankar Mishra, Adv.
Mr. Rajat Nair, Adv.
Mr. Anurag Sharma, Adv.
Mr. Merusagar Samantray, Adv.
Ms. Smita Choudhary, Adv.
Ms. Suhasini Sen, Adv.
Mr. M. Samantaraj, Adv.
Mr. S. S. Rebello, Adv.
Mr. D. L. Chidananda, Adv.
Mr. Rajesh Kumar Singh, Adv.
Mr. Raj Bahadur Yadav, Adv.
Ms. Snidha Mehra, Adv.
Ms. Tanisha Samanta, Adv.
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Mr. Satish Kumar, Adv.
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Mr. Parijat Sinha, Adv.

Mr. G. Prakash, Adv.

Ms. A. Subhashini, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Saurabh Mishra, Adv.

Mr. Abhishek Singh, Adv.

Mr. Samridhi Pal, Adv.

Ms. Aashnaa Bhatia, Adv.

Ms. Hemantika Wahi, Adv.

Mr. Naresh Kaushik, Adv.

Ms. Lalitha Kaushik, Adv.

Mr. Manoj Joshi, Adv.

Mr. Lakshay Juneja, Adv.

Mr. Rahul Sharma, Adv.

Mr. Abhishek Verma, Adv.

Mr. K. M. Nataraj, ASG

Ms. Suhasini Sen, Adv.

Mr. R. K. Chaurasiya, Adv.

Dr. Nishesh Sharma, Adv.

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Mr. Narendra Kumar, Adv.

Mr. Satya Mitra, Adv.

Mr. Chandan Kumar, Adv.

Mr. Nikunj Dayal, Adv.

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Mr. CHIRAG M. SHROFF, ADVOCATE
Mr. Jyoti Mehndiratta, Adv.
Ms. Mahima C. Shroff, Adv.
Ms. Yashika Verma, Adv.
Ms. Riya Thomas, Adv.

Mr. Sanjiv Sen, Sr. Adv.
MR. PRAVEEN SWARUP, ADVOCATE
Ms. Puja Kalra, Adv.
Mr. Suvesh Kumar, Adv.
Mr. B. C. Santosh Kumar, Adv.
Mr. Virendra Singh, Adv.
Mr. Sayan Ray, Adv.

Mr. Sandeep Narain, Adv.
Ms. Nivedita Nair, Adv.
for M/s S. NARAIN AND Co.

Mr. Manu Aggarwal, Adv.
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Mr. Saif Ali, Adv.
Ms. Rusheet Saluja, Adv.
Mr. S. M. Tripathi, Adv.
(Appearance slip not legible)

Mr. K. V. Vishwanathan, Sr. Adv.
Ms. PRITHA SRIKUMAR IYER, ADVOCATE
Ms. Mansi Binjrajka, Adv.

MR. ALOK SHUKLA, ADVOCATE

Mr. Yoginder Handoo, Adv.
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Mr. R. K. Vats, Adv.
Ms. Susmita Lal, Adv.

MR. PRANAV SACHDEVA, ADVOCATE
Ms. Neha Rathi, Adv.
Mr. Jatin Bhardwaj, Adv.

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Mr. Chirag M. Shroff, AOR
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Mr. Gurmeet Singh Makker, AOR
Mr. Saurabh Mishra, AOR
Mr. Chandan Kumar, AOR
Ms. Susmita Lal, AOR
Mr. Shree Pal Singh, AOR
Mr. Ashish Rana, AOR
Mr. Satya Mitra, AOR
Mr. Praveen Swarup, AOR

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

REPORT NO. 103 SUBMITTED BY EPCA

Let affidavit be filed by the Union of India within one week from today.

List on 25.11.2019.

IN RE: DIESEL VEHICLES

IA NO. 79444, 177432/2018 and 142872/2019

As the conversion to dual fuel is possible, as apparent from the documents and the reply filed by the Govt. Of India, let the interested persons file their response to the same within a period of 10 days from today.

List on 25.11.2019.

REPORT NO. 104 SUBMITTED BY EPCA

Reply by DMRC be filed within 10 days.

List on 06.12.2019.

IA Nos. 176097/2018, 39622/2019, 72210/18 and 72236/2018 and 119813 & 119815/2019 and 110238/2019

Objections, if any, be filed on or before 28.11.2019.

List on 06.12.2019.

RE : SMOG IN DELHI

We have asked the learned counsel appearing for the Union of India as well as the Government of NCT of Delhi to convene a meeting by tomorrow for working out the feasibility of installation of smog towers which take care of the smog within certain range of kilometers, to say 3 to 10 kms and place their concrete proposal before us as it is an urgent matter from the point of view of Delhi.

We direct the Central Pollution Control Board (CPCB) to produce the record of each and every day from 02.11.2019, including that of 11th and 12th November, 2019, which were not odd/even days, till 14.11.2019. The record of the month of October, 2019 shall also be produced before this Court. The day-to-day record of the last year, maintained by CPCB, for the same period from 01.10.2018 till 31.12.2018 and January and February 2019 be also placed on record before this Court. Let the requisite affidavit be filed on or before 15.11.2019.

As requested by Mr. Dhruv Mehta, learned senior counsel, let additional documents/affidavit be filed during the course of the day.

Notice be issued in W.P. (C) No. 1333 of 2019 (Item No. 309 - Odd/even case) and be listed along with this matter on 15.11.2019.

A copy of the writ petition be furnished on the standing counsel for the respondent.

Civil Appeal No. 4908-4909 of 2019 [ITEM NO. 311]

List on 06.12.2019.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER