

ITEM NO.2

COURT NO.3

SECTION XVII

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

Civil Appeal No(s). 10294/2013

NARINDER SINGH & ORS.

Appellant(s)

VERSUS

DIVESH BHUTANI & ORS.

Respondent(s)

(Issue involved in these matters are regarding forest and non forest land. I.A. No 91157/2021 and 101169/2021 in SLP (c) no. 7220-7221/2017 are similar to issues involved in C.A. No. 10294/2013 and the said IA are to be listed along with these matters)

IA No. 155775/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 155784/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 2091/2021 - CLARIFICATION/DIRECTION, IA No. 155781/2019 - INTERVENTION/IMPLEADMENT, IA No. 155772/2019 - INTERVENTION/IMPLEADMENT, IA No. 2082/2021 - INTERVENTION/IMPLEADMENT, IA No. 136483/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 125428/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 105838/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 148663/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

C.A. No. 8454/2014 (XVII)

IA No. 192694/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 8173/2016 (XVII)

IA No. 2/2016 - APP FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS, IA No. 93369/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 97596/2020 - EXEMPTION FROM FILING O.T., IA No. 138593/2019 - EXEMPTION FROM FILING O.T., IA No. 97595/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 138590/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 1/2016 - STAY APPLICATION)

C.A. No. 11000/2013 (XVII)

IA No. 196807/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 3/2014 - STAY APPLICATION)

W.P.(C) No. 1008/2021 (X)

IA No. 112315/2021 - EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No. 1031/2021 (X)

IA No. 146855/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No.

143964/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 116303/2021 - EXEMPTION FROM FILING O.T., IA No. 146851/2021 - INTERVENTION APPLICATION, IA No. 143956/2021 - INTERVENTION APPLICATION, IA No. 116302/2021 - STAY APPLICATION)

W.P.(C) No. 1320/2021 (X)
(FOR ADMISSION)

Date : 29-03-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Parties:

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Ms. K. V. Bharathi Upadhyaya, AOR

Mr. Sehkhari G. Devasa, AOR
 Mr. Manish Tiwari, Adv.
 Mr. Shashi Bhushan Nagar, Adv.
 Ms. Satvisha Pattanayak, Adv.
 M/S. Devasa & Co., AOR

Ms. Manjeet Kirpal, AOR

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

W.P. (C) No.1031/2021

This matter is an offshoot of the directions issued by this Court, *inter alia*, vide orders dated 19.02.2020, 05.04.2021 in SLP(C) Nos. 7220-7221/2017 and 07.06.2021 in Writ Petition(C) No. 592 of 2021.

The petitioners in this writ petition are seeking

reliefs in the context of action initiated by the concerned Authorities of the State (Corporation), pursuant to the aforementioned orders. One of the incidental reliefs in terms of prayer clause (e) of this petition may have bearing on the direction issued by this Court vide Order dated 01.03.2019 in Writ Petition (C) No.4677/1985 (M.C. Mehta vs. Union of India). Notably, the issues involved in the stated case (Writ Petition (C) No.4677/1985) are general issues regarding environment degradation and preservation of environment. Whereas, the substantive issues raised in the present writ petition are specific to the provisions of the Punjab Land Preservation Act, 1900 (for short, '1900 Act'). The petitioners, to buttress their submission for grant of reliefs (a) to (d) are also relying on the amended provisions of the 1900 Act. In that context, it has become necessary to clarify the position that the issues raised in I.A. No.93600 of 2021 in Writ Petition (C) No.4677/1985 and the order dated 01.03.2019 passed therein, may have bearing on the present proceedings.

After hearing Mr. Tushar Mehta, learned Solicitor General and Mr. Vikas Singh, learned senior counsel appearing for the writ petitioners in the present writ

petition as also the learned *Amicus Curiae*, Mr. A.D.N. Rao, appearing in Writ Petition(C) No.4677/1985 and assisting in these matters also, we are of the considered view that the prayer set forth by the State of Haryana in I.A. No.93600 of 2021 in Writ Petition(C) No.4677/1985 needs to be dealt with along with the prayers in the present writ petition (Writ Petition (C) No.1031/2021 and connected cases), which are being heard by the Three-Judge Bench (two Court days' hearing). We order accordingly.

Registry to do the needful at the earliest.

C.A. Nos.10294/2013, 8173/2016, 11000/2013 AND W.P.(C) No. 1008/2021, 1320 and 1031/2021

Heard-in-part.

For further arguments, list these matters tomorrow, i.e., 30th March, 2022.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)