

ITEM NO.55

COURT NO.11

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

Petition(s) for 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 and 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)

WITH

W.P.(C) No. 657/2021

(IA No. 68638/2021 - EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No. 788/2021

(IA No. 137687/2022 - CLARIFICATION/DIRECTION)

Date : 12-09-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Arun Bhardwaj, Sr. Adv.
Dr. Monika Gusain, AOR

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For Respondent(s) Mr. Arun Bhardwaj, Sr. Adv.
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Ms. Himani Bhatnagar, Adv.
Mr. Sanjay Kumar Visen, AOR

Mr. B. K. Satija, AOR
Mr. Vishwa Pal Singh, AOR

Mr. K.M. Nataraj, A.S.G. (N.P.)
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Mr. Annirudh Sharma II, Adv.
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Mr. Gurmeet Singh Makker, AOR
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Ms. Chinmaee Chandra, Adv.
Mr. Ishaan Sharma, Adv.

Ms. Mayuri Raghuvanshi, AOR
Mr. Om Prakash Kharbanda, Adv.
Ms. Rochak Kharbanda, Adv.
Ms. Diksha Sarin, Adv.
Mr. Anil Raina, Adv.
Mr. Raj Kumar Jain, Adv.

Mr. Vaibhav Niti, AOR

Ms. Kawalpreet Kaur, Adv.
Ms. Amiy Shukla, AOR
Mr. Shakti Vardhan, Adv.

Mr. Vikas Verma, Adv.
Ms. Sapna Verma, Adv.
Mr. Shafik Ahmed, Adv.
Mr. Padhmanabha Raja K.R., Adv.
Ms. Anju, Adv.
Mr. Danish Saifi, Adv.
Mr. V. Elanchezhian, AOR

Mr. Smarhar Singh, AOR
Ms. Shweta Kumari, Adv.
Mr. Chinmay Kumar, Adv.
Mr. Vikas Chopra, Adv.
Mr. Manoj Kumar, Adv.

Mr. Tejaswi Kumar Pradhan, AOR
Mr. Manoranjan Paikaray, Adv.
Mr. Mohan Prasad Gupta, Adv.

Mr. Ram Ekbal Roy, Adv.

Mr. Binay Kumar Das, AOR
Mr. Aman Nihal, Adv.
Mr. Sanjay Kumar Singh, Adv.
Ms. Kumudini Priyadarshini, Adv.
Ms. Neha Das, Adv.

Mr. Satya Mitra, AOR

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

Pursuant to the last order dated 5th September, 2023, the learned senior counsel appearing for the Municipal Corporation, Faridabad, states that the Commissioner, Municipal Corporation, has spoken to the Director of the Indian Institute of Technology (I.I.T.) Delhi and I.I.T. has shown willingness to undertake the task which is referred in our last order dated 5th September, 2023. A copy of the letter dated 6th September, 2023, addressed by the Commissioner of the Municipal Corporation to the Director of I.I.T., Delhi, is placed on record.

As noted in our order dated 5th September, 2023, we are concerned with the issue of habitability of 1072 flats/blocks. The Municipal Corporation shall provide detailed description of the buildings in which these 1072 flats/blocks are located.

We leave it to I.I.T. Delhi, to constitute a proper team of experts. Learned senior counsel appearing for the Municipal Corporation states that a team has already been constituted by I.I.T. Delhi.

The I.I.T. Delhi, will look into the following aspects and give its expert opinion:

- i. Habitability of all 1072 flats/blocks with reference to the structural status of the buildings;
- ii. availability of adequate supply of water, including drinking water;
- iii. availability of proper drainage system;
- iv. availability of proper sewerage system; and
- v. whether there are leakages and seepages in the blocks/flats in the concerned buildings.

A copy of this order shall be provided by the Municipal Corporation to the Director of I.I.T. Delhi.

We grant time of one month to I.I.T. Delhi to submit an exhaustive report dealing with the aforesaid aspects. The report shall be forwarded by I.I.T. Delhi to the Commissioner of the Municipal Corporation, who will place the same on record and will provide copies to all the concerned parties.

The learned counsel appearing for the petitioners in the Writ Petition (C) No. 788 of 2021, states that the petitioners will nominate only one representative to represent them and will communicate the name of the representative and his contact number to the Director of I.I.T. Delhi as well as to the Commissioner of the Municipal Corporation. Whenever the teams constituted by I.I.T. Delhi visit the buildings in question, an advance intimation shall be given to the representative so nominated to enable the

said representative to remain present at the time of site visit. His role will be limited to pointing out factual aspects to the team of I.I.T.

List the matters on 7th November, 2023 at 2.00 p.m.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)