

ITEM NO.20

COURT NO.3

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 FOR SPECIAL LEAVE TO APPEAL (C) NOS.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)

(IA No. 47461/2024 - CLARIFICATION/DIRECTION, IA No. 138488/2023 - CLARIFICATION/DIRECTION, IA No. 259847/2023 - EXTENSION OF TIME, IA No. 227773/2024 - EXTENSION OF TIME, IA No. 153716/2024 - INTERVENTION/IMPLEADMENT, IA No. 267697/2023 - INTERVENTION/ IMPLEADMENT)

WITH

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

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

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

(IA No. 232018/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 137687/2022 - CLARIFICATION/DIRECTION, IA No. 90671/2023 - EXEMPTION FROM FILING O.T., IA No. 187380/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 21-05-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :Mr. Sanjay Parikh, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Kritika, Adv.
Mr. Hamza Tariq, Adv.

Mr. D.P.Singh, Adv.
Ms. Tara Elizabeth Kurien, Adv.

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

Mr. Arun Bhardwaj, Sr. Adv.
Mr. Akshay Amritanshu, AOR
Ms. Drishti Rawal, Adv.
Ms. Drishti Saraf, Adv.
Ms. Pragya Upadhyay, Adv.
Ms. Gauraan, Adv.
Mr. Abhishek Sharma, Adv.
Ms. Neha Mishra, Adv.
Ms. Prachi Sharma, Adv.

For Respondent(s) : Mr. Vedant Singh, AOR

Mr. Arun Bhardwaj, Sr. Adv.
Mr. Akshay Amritanshu, AOR
Ms. Drishti Rawal, Adv.
Ms. Pragya Upadhyay, Adv.
Ms. Drishti Saraf, Adv.
Ms. Gauraan, Adv.
Mr. Abhishek Sharma, Adv.
Ms. Neha Mishra, Adv.
Ms. Prachi Sharma, Adv.

Mr. Sanjay Kumar Visen, AOR
Mr. B. K. Satija, AOR
Mr. Vishwa Pal Singh, AOR

Ms. Mrinal Gopal Elker, AOR
Ms. Chhavi Khandelwal, Adv.

Mr. K.M Nataraj, A.S.G.
Mr. Annirudh Sharma II, Adv.
Mr. Chitransh Sharma, Adv.
Mr. T.S. Sabarish, Adv.
Mr. Raman Yadav, Adv.
Mr. Manish, Adv.
Mr. Amrish Kumar, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Ishaan Sharma, Adv.
Mr. Sarad Kumar Singhania, Adv.
Mr. Sumit Tereriwal, Adv.

Mr. Tejaswi Kumar Pradhan, AOR
Mr. Pradeep Patra, Adv.
Mr. Pranab Samantray, Adv.

Mr. Binay Kumar Das, AOR
Mr. Ram Ekbal Roy, Adv.
Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.
Mr. Aman Nihal, Adv.
Mr. Sanjay Kumar Singh, Adv.

Mr. Satya Mitra, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Ishaan Sharma, Adv.
Mr. Sarad Kumar Singhania, Adv.
Mr. Sumit Tereriwal, Adv.

Mr. Anshuman, AOR
Ms. Damini Chawla, Adv.

Ms. Mayuri Raghuvanshi, AOR
Mr. Vaibhav Niti, AOR

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

Mr. V. Elanchezhiyan, AOR
Mr. Vikas Verma, Adv.
Ms. Sapna Verma, Adv.
Mr. Shafik Ahmed, Adv.
Ms. Anju, Adv.
Mr. Danish Saifi, Adv.
Mr. Sunny, Adv.
Mr. Bhagwat Dayal, Adv.
Mr. Sachin Wadhwa, Adv.

Mr. Smarhar Singh, AOR
Ms. Shweta Kumari, Adv.
Mr. Dhananjaya Kumar Tyagi, Adv.

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

We have perused the Executive Summery of the reports submitted by Indian Institute of Technology, Delhi (IIT). If the executive summery is perused, to say the least, it discloses shocking state of affairs about the infrastructure available in the buildings in which large number of families have been rehabilitated. Initially, learned counsel appearing for the petitioner - Municipal Corporation tried to submit that the Municipal Corporation wants to object to certain part of the report. Later on, he states that the recommendations in the report will be implemented by the petitioner - Corporation.

Paragraph E.8. of the Executive Summery records that 95 units have been in critical condition and unsuitable for rehabilitation due to high levels of dampness, advanced corrosion, and structural deterioration. We direct the petitioner to forthwith accommodate the allottees of these 95 units in another building where the premises are habitable. This exercise shall be completed within a maximum period of one month from today.

Considering the manner in which the issue of

rehabilitation is being handled, we direct the Principal Secretary of Urban Development Department of Government of Haryana to look into all issues arising in this petition. We direct the petitioner - Corporation to take all remedial steps in terms of the report of the IIT. Priority shall be given to the issues regarding Public health Engineering aspects, water supply and electric infrastructure, adequate fire safety measures. The Principal Secretary of the Urban Development Department of Government of Haryana or any Senior IAS Officer appointed by him shall supervise the implementation of the recommendations made in the report of the IIT. Needless to add that petitioner - Corporation shall consult IIT or the consultant appointed by the IIT while implementing the recommendations. We direct the Principal Secretary of the Urban Development Department of State of Haryana to immediately convene a meeting of the Municipal officials, representatives of the IIT and agency appointed by the IIT to lay down the timelines for commencement and completion of work.

We direct the Commissioner of the petitioner - Corporation as well as the Principal Secretary of Urban Development Department of Haryana Government or IAS nominated by him to file affidavits indicating the progress made in implementation of the suggestions made by the IIT.

The priorities are already indicated in this order. The affidavit shall be filed by end of August, 2025. The Principal Secretary or the IAS Officer nominated by him must also look into the grievance repeatedly made regarding non-payment of solacium. The record available with the Municipal Corporation should be perused and even on this aspect, factual statements must be made in the affidavit to be filed. Needless to add that if solacium is not paid to the eligible persons, the same shall be immediately released within a period of 15 days from today.

List on 12th September, 2025.

We have perused our order dated 17th March, 2025. We direct the petitioner - Corporation to issue one more written notice to all the allottees who have not taken possession calling upon them to take possession by completing all formalities within a period of three weeks from the date of service of the fresh notice. After service of notice, if the allottees do not come forward to make compliance within three weeks from the date of service, it will be open for the petitioner to proceed with cancellation of such allotments.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)