

ITEM NO.301+302 Court 3 (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

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 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.) & ORS.

Respondent(s)

(ONLY IA.NOS.91157 AND 101169/2021 IN SLP(C)NOS. 7220-7221 OF 2017 ALONG WITH C.A NO. 10294/2013, C.A NO. 11000/2013, 8173/2016, 8454/2014, W.P(C) NOS. 1008 AND 1031 OF 2021 ARE LISTED.

IA No. 91157/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 101169/2021 - CLARIFICATION/DIRECTION)

WITH

C.A. No. 10294/2013 (XVII)

IA No. 155784/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 155775/2019 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 2091/2021 - CLARIFICATION/DIRECTION

IA No. 2082/2021 - INTERVENTION/IMPLEADMENT

IA No. 155781/2019 - INTERVENTION/IMPLEADMENT

IA No. 155772/2019 - INTERVENTION/IMPLEADMENT

IA No. 148663/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

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)

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

IA No. 196807/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 3/2014 - STAY APPLICATION)

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)

W.P.(C) No. 1008/2021 (X)
 IA No. 112315/2021 - EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No. 1031/2021 (X)
 IA No. 116303/2021 - EXEMPTION FROM FILING O.T.
 IA No. 116302/2021 - STAY APPLICATION)

W.P.(C) No(s). 592/2021
 IA No. 92847/2021 - AMENDMENT OF THE PETITION
 IA No. 106531/2021 - APPLICATION FOR EXEMPTION FROM FILING TYPED
 DOCUMENTS
 IA No. 82566/2021 - APPROPRIATE ORDERS/DIRECTIONS
 IA No. 64532/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 106530/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 84526/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 103150/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 92851/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 71100/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 92163/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 65544/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 91186/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 82565/2021 - INTERVENTION APPLICATION
 IA No. 71098/2021 - MODIFICATION
 IA No. 91182/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 103148/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 92160/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 65543/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 759/2021 (PIL-W)
 IA No. 82248/2021 - APPLICATION FOR PERMISSION
 IA No. 79663/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 82274/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 82250/2021 - EXEMPTION FROM FILING AFFIDAVIT
 IA No. 82271/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 1023/2021 (X)
 (FOR ADMISSION and IA No.114426/2021-GRANT OF INTERIM RELIEF and IA
 No.114427/2021-EXEMPTION FROM FILING O.T...)

Date : 08-10-2021 These matters were called on for hearing today.

CORAM :

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

For Parties

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 Mr. Shafik Ahmed Adv.
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 Mr. Nasim Anwar Adv.
 Mr. Durgesh Gupta Adv.
 Mr. Vinod Kumar Goyal Adv.
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 Mr. Haider Ali Adv
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 Ms. Monika Gosain, AOR

Ms. Manju Jetley, AOR

Mr. Rajat Joseph, AOR

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

IA Nos. 91157/2021 and 101169/2021 in SLP(C)
Nos. 7220-7221/2017, C.A. Nos. 10294/2013, 11000/2013,
8173/2016, 8454/2014, W.P.(C) Nos. 1008/2021 and
1031/2021

In view of the letter circulated by the
 learned counsel for the State of Haryana, seeking

adjournment, list the matters on 22.10.2021

W.P.(C) No.592/2021, 759/2021 and 1023/2021

We have heard counsel for the parties on the question of nature of proof to be submitted along with application(s) under the Rehabilitation Scheme.

For the time being, as an interim arrangement, we direct the Municipal Corporation, Faridabad (for short, the Corporation) to process the applications, if accompanied by Aadhar Card or Parivar Pehchan Patra, for the purpose of making provisional allotment, subject to verification of the applicant's eligibility for rehabilitation in reference to the unauthorized structure demolished during the demolition action.

The provisional allotment, as already noted in the previous order will not create any right in favour of the allottee until he/she establishes his/her eligibility as mandated under the Rehabilitation Scheme. This observation is by way of interim arrangement and subject to the final decision in the pending proceeding.

As regards the grievance made about the functioning of the official e-portal of the

Corporation, some corrective measures have been taken by the Corporation. The Corporation may take necessary steps to ensure that all deficiencies pointed out on the earlier occasion or in the form of representation(s) made by the Advocate may also be dealt with appropriately.

We also call upon the Corporation to upgrade the e-portal by providing information in respect of matters referred to in paragraph 5 of the representation dated 01.10.2021 made to the Corporation (Annexure A-1 to the Response by the Petitioners to the Status Report filed by R-3, The Commissioner, Municipal Corporation of Faridabad) to the extent possible and at the earliest.

For the other issues the matters can proceed on 22nd October, 2021 when the other related issues are slated to be heard in terms of order dated 20.09.2021.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER