

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 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)

([TO BE TAKEN UP AT 2:00 P.M.])

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

(The matter pertains to issue of demolition
IA No. 137687/2022 - CLARIFICATION/DIRECTION)

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

(THIS MATTER PERTAIN TO ISSUE OF "DEMOLITION"
IA No. 68638/2021 - EXEMPTION FROM FILING AFFIDAVIT)

Date : 16-05-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s)

Mr. Arun Bhardwaj, Sr. Adv.
Dr. Monika Gusain, AOR

Mr. Sanjay Parikh, Sr. Adv.
Ms. Srishti Agnihotri, AOR
Ms. Tripti Poddar, Adv.
Ms. Sanjana Grace Thomas, Adv.

Ms. Amiy Shukla, AOR

For Respondent(s)

Mr. Vedant Singh, AOR

Mr. Sanjay Kumar Visen, AOR
Mr. Arun Bhardwaj, Sr. Adv.

Mr. B. K. Satija, AOR

Mr. Arun Bhardwaj, Sr. A.A.G.
Mr. Vishwa Pal Singh, AOR

Mr. Jayant K Sud, A.S.G.
Mr. Kamendra Mishra, Adv.
Mrs. Vimla Sinha, Adv.
Mr. Manish, Adv.
Mr. Sughosh Subramanyam, Adv.
Mr. Annirudh Sharma Ii, Adv.
Mr. Amrish Kumar, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. S.K.Singhania, Adv.
Mr. Sumit Teterwal, Adv.
Ms. Chinmaee Chandra, Adv.
Mr. Ishaan Sharma, Adv.

Mr. Vaibhav Niti, AOR
Mr. Divyanshu Agrawal, Adv.
Ms. Madhavi Agrawal, Adv.

Ms. Amiy Shukla, AOR

Mr. Vikas Verma, Adv.
Ms. Sapna Verma, Adv.
Mr. Shafik Ahmed, Adv.
Mr. Danish Saifi, Adv.
Mr. Mayank Choudhary, Adv.
Ms. Anju, Adv.
Mr. Padmanabha Raja K.R., Adv.
Mr. V. Elanchezhiyan, AOR

Mr. Smarhar Singh, AOR
Ms. Shweta Kumari, Adv.
Mr. Jai Krishna Singh, Adv.
Mr. Mohd. Asim, Adv.
Mr. Kushal Kumar, Adv.
Mr. Rishi Raj, Adv.
Mr. Chandra Pratap, Adv.
Mr. Manoj Kumar, Adv.

Mr. Tejaswi Kumar Pradhan, AOR
Mr. Manoranjan Paikaray, Adv.
Mr. Aniruddha Purushotham, Adv.
Mr. Shashwat Panda, Adv.
Mr. Mohan Prasad Gupta, Adv.

Mr. Ram Ekbal Roy, Adv.
Mr. Binay Kumar Das, AOR
Mr. Aman Nihal, Adv.
Mr. V. P. Pandey, Adv.
Mr. Sanjay Kumar Singh, Adv.

Mr. Satya Mitra, AOR
Ms. Kawalpreet Kaur, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. S.K.Singhania, Adv.
Mr. Sumit Teterwal, Adv.
Ms. Chinmaee Chandra, Adv.
Mr. Ishaan Sharma, Adv.

Ms. Mayuri Raghuvanshi, AOR
Mr. Om Prakash Kharbanda, Adv.
Ms. Rochak Kharbanda, Adv.

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

We have perused the affidavit of Mr. Jitendra Kumar IAS, Commissioner of Municipal Corporation, Faridabad. He is present through video conferencing.

There is a clear assurance given by in his affidavit on oath that the works in terms of the recommendations of the Committee will be strictly completed in letter and spirit by 30th June, 2023.

When we made a query to the Commissioner about the default made by the Corporation in payment of solatium of Rs.2,000/- (Rupees two thousand) per month, he comes out with the plea that he did not properly understand the orders of this Court. We feel the that the orders of the Court are in plain and simple language and therefore, there was no occasion for the Commissioner to get

confused. In any case, legal assistance is available to the Commissioner. If he had any doubt, he could have sought assistance of the lawyers.

Nevertheless, he assures the Court that the outstanding payment of solatium will be made within a period of a day.

We, therefore, make it clear that the entire outstanding solatium amount payable by the Corporation shall be paid by 18th May, 2023. Needless to add that payment of solatium must be regularly made till the certificate of fitness in respect of the individual tenements is issued by the Commissioner and communicated to the concerned allottees.

A detailed compliance report shall be filed by the Commissioner not only regarding the payment of solatium but also regarding the completion of work on or before 20th July, 2023 and the copies be supplied in advance to the parties to the petitions.

List at 2.30 p.m. on 25th July, 2023.

The Commissioner shall also remain present through video conferencing on the next date of hearing.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER