

ITEM NO.10

COURT NO.15

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.) THR ITS PRESIDENT & ORS.Respondent(s)

IA No. 47461/2024 - CLARIFICATION/DIRECTION
IA No. 138488/2023 - CLARIFICATION/DIRECTION
IA No. 62750/2025 - EXTENSION OF TIME
IA No. 227773/2024 - EXTENSION OF TIME
IA No. 259847/2023 - EXTENSION OF TIME
IA No. 153716/2024 - INTERVENTION/IMPLEADMENT
IA No. 267697/2023 - INTERVENTION/IMPLEADMENT
IA No. 227561/2025 - MODIFICATION OF COURT ORDER

WITH

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

FOR CLARIFICATION/DIRECTION ON IA 137687/2022

FOR EXEMPTION FROM FILING O.T. ON IA 90671/2023

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 187380/2023

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 232018/2023

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

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

IA No. 68638/2021 - EXEMPTION FROM FILING AFFIDAVIT

Date : 13-11-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr. Sanjay Parikh, Sr. Adv.
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Ms. Sanjana Srikumar, Adv.
Ms. Kritika, Adv.
Mr. D.p.singh, Adv.
Ms. Tara Elizabeth Kurien, Adv.
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Ms. Amiy Shukla, AOR

Mr. Arun Bhardwaj, Sr. Adv.
Mr. Akshay Amritanshu, AOR
Ms. Gauraan, Adv.
Mr. Abhishek Sharma, Adv.
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Mr. Mayur Goyal, Adv.
Mr. Abhay Nair, Adv.

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

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

Ms. Mrinal Gopal Elker, AOR
Ms. Silpi S Swain, 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.
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Ms. Aishwarya Bhati, A.S.G.

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Mr. Ishaan Sharma, Adv.
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Mr. Padmesh Mishra, Adv.
Mr. Chinmayee Chandra, Adv.
Mr. Rohan Gupta, Adv.

Ms. Mayuri Raghuvanshi, AOR

Mr. Vaibhav Niti, AOR
Mr. Divyanshu Agrawal, Adv.
Mr. Jairaj Singh, Adv.

Ms. Amiy Shukla, AOR

Mr. Vikas Verma, Adv.
Mr. Shafik Ahmed, Adv.
Ms. Anju, Adv.
Mr. Danish Saifi, Adv.
Mr. Sunny, Adv.
Mr. Satendra Singh Baghel, Adv.
Mr. Sreejith P.r., Adv.
Mr. Emamuddin Aazmi, Adv.
Ms. Abida, Adv.
Mr. V. Elanchezhiyan, AOR

Mr. Smarhar Singh, AOR
Ms. Shweta Kumari, Adv.
Mr. Dhananjaya Kumar Tyagi, Adv.
Mr. Mohd Asim, Adv.
Mr. Pankaj Prakash, Adv.

Mr. Tejaswi Kumar Pradhan, AOR

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

Mr. Satya Mitra, AOR

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Mr. Sahib Malhotra, Adv.

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

Mr Bijender Singh, Adv.
Mr Amit Kumar Chawla, Adv
Mr Hitesh Kumar Sharma, Adv.
Mr Akhileshwar Jha, Adv.
Ms Swati Vishan, Adv.
Mr Anupam Kumar, Adv.

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

1. We have heard learned Counsel for the parties which includes interveners / Municipal Corporation, Faridabad / IIT Delhi.
2. The question which has been raised before us is regarding habitability of flats/ blocks where displaced persons are to be placed pursuant to directions of the High Court as well as this Court.

3. On 12.09.2023 by a detailed order IIT Delhi was appointed to inspect /survey and submit report on the following aspects:

“(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.”

4. Pursuant to the said order, IIT Delhi submitted a report which included suggestions *qua* to improve habitability of those flats/ blocks.

5. After perusal of the report submitted by IIT Delhi, on 21.05.2025 following order was passed:

“We have perused the Executive Summary of the reports submitted by

Indian Institute of Technology, Delhi (IIT). If the executive summary 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 Summary 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 solatium 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."

6. After the aforesaid order was passed, various applications were filed complaining that the suggestions made in the report of IIT Delhi have not been implemented. There is also a prayer to increase the quantum of water supply to the colony. There is complaint regarding the existing drainage /sewerage system.
7. Upon consideration of the submissions as also the fact that IIT Delhi had submitted the report giving various suggestions, implementation of those suggestions being the issue now, we are of the view that an inspection of the spot (i.e., Dabua colony) should be made by a team constituted under the supervision of IIT Delhi so that a report is submitted disclosing whether the suggestions made by IIT Delhi have been duly implemented or not. If the earlier suggestions have not been implemented so far, the report must specify lacunas, if any, to enable us to issue specific directions, if required. We also leave it open for IIT Delhi to appoint a team of its choice for such inspection. Liberty is given to IIT Delhi to rope in private agencies

for the purpose, subject to any objection taken by Municipal Corporation, Faridabad. We also clarify that expenses for such inspection shall be borne by the Municipal Corporation, Faridabad.

8. Such inspection shall be carried out within six weeks from today. The report in terms above may be submitted within four weeks thereafter.
9. In case the inspecting team is apprehensive of security issues, it may move an application before the concerned police station which shall ensure that adequate security is provided to the inspecting team.
10. List these matters on 04.02.2026.

I.A. Nos 283850/2025 and 283849/2025

1. We have heard Mr Vipin Sanghi, learned senior counsel, for the applicant. By these applications, the applicant seeks liberty to intervene in the pending Special Leave Petitions and have also prayed for a direction upon the respondent to permit the applicant to construct/erect a boundary wall

in accordance with its title document.

2. As admittedly the applicant was not a party to the proceedings before the High Court, we deem it appropriate to dispose of these applications by giving liberty to the applicant to invoke the writ jurisdiction of the jurisdictional High Court in case the applicant has any grievance against the Municipal Corporation, Faridabad or any other instrumentalities of the State or the Government. The applications stand disposed of. We, however, make it clear that we have not expressed any opinion on the merits of the claim of the applicant.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)