

ITEM NO.301

COURT NO.5

SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

M.A. Nos.926-930 of 2019 in C.A. Nos.343-592 of 2019

(Arising out of impugned final judgment and order dated 11-01-2019 in C.A. No.363/2019, 11-01-2019 in C.A. No.388/2019, 11-01-2019 in C.A. No.413/2019, 11-01-2019 in C.A. No.475/2019, 11-01-2019 in C.A. No.485/2019 passed by the Supreme Court Of India)

**HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE
 DEVELOPMENT CORPORATION LIMITED & ORS.**

Petitioner(s)

VERSUS

RAMESHWAR DASS (DEAD) & ORS.

Respondent(s)

**(FOR ADMISSION; IA No.64940/2019 - FOR APPLICATION FOR
 SUBSTITUTION; IA No.64943/2019 - FOR CONDONATION OF DELAY IN FILING
 SUBSTITUTION APPLICATION; IA No.64938/2019 - FOR MODIFICATION OF
 COURT ORDER; and, IA No.64935/2019-APPLICATION FOR PERMISSION)**

WITH

**SLP(C) Nos.22234-22241/2018 (IV-B)
 (IA No.118262/2019 - FOR CLARIFICATION/DIRECTION)**

**Diary No.14296/2019 (IV-B)
 (IA No.72665/2019 - FOR CONDONATION OF DELAY IN FILING)**

**Diary No.14297/2019 (IV-B)
 (IA No.88235/2019 - FOR CONDONATION OF DELAY IN FILING)**

**Diary No.15662/2019 (IV-B)
 (FOR ADMISSION and I.R.; and, IA No.88299/2019 - FOR CONDONATION OF
 DELAY IN FILING)**

**Diary No.15663/2019 (IV-B)
 (IA No.87897/2019 - FOR CONDONATION OF DELAY IN FILING)**

**Diary No.15664/2019 (IV-B)
 (IA No.89804/2019 - FOR CONDONATION OF DELAY IN FILING)**

**Diary No.15665/2019 (IV-B)
 (IA No.88507/2019 - FOR CONDONATION OF DELAY IN FILING)**

Diary No.15666/2019 (IV-B)
(FOR ADMISSION and I.R.; and, IA No.88508/2019 - FOR CONDONATION OF
DELAY IN FILING)

Diary No.15667/2019 (IV-B)
(IA No.88209/2019 - FOR CONDONATION OF DELAY IN FILING)

Diary No.15668/2019 (IV-B)
(IA No.85061/2019 - FOR CONDONATION OF DELAY IN FILING)

Diary No.15669/2019 (IV-B)
(IA No.88275/2019 - FOR CONDONATION OF DELAY IN FILING)

Diary No.15691/2019 (IV-B)
(IA No.83169/2019 - FOR CONDONATION OF DELAY IN FILING)

Diary No.15700/2019 (IV-B)
(FOR ADMISSION and I.R.; and, IA No.88540/2019 - FOR CONDONATION OF
DELAY IN FILING)

Diary No.15702/2019 (IV-B)
(FOR ADMISSION and I.R.; and, IA No.89072/2019 - FOR CONDONATION OF
DELAY IN FILING)

Diary No.15939/2019 (IV-B)
(IA No.88516/2019 - FOR CONDONATION OF DELAY IN FILING)

Diary No.15943/2019 (IV-B)
(IA No.87775/2019 - FOR CONDONATION OF DELAY IN FILING)

Date : 25-11-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Counsel for the Parties:

Dr. Rajiv Dhavan, Sr. Adv.
Mr. Anil Mittal, Adv.
Mr. Vibhuti S. Gupta, Adv.
Mr. Satish Kumar Gupta, Adv.
Mr. Anil Kumar Nain, AOR

Mr. Narender Hooda, Sr. Adv.
Mr. Jasbir Singh Malik, Adv.
Mr. Mayank Sharma, Adv.
Ms. Bano Deswal, Adv.
Mr. Manish Kumar Tirthpuria, Adv.
Ms. Usha Nandini V., AOR

Mr. Alok Sangwan, AAG Haryana
Mr. Sunny Kadiyan, Adv.
Mr. Ankur Berry, Adv.
Dr. Monika Gusain, Adv.

Mr. Swetank Shantanu, AOR
Mr. Pratap Shanker, Adv.
Mr. Sanjiv Chaudhary, Adv.
Ms. Shilpi Shrivastava, Adv.

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

Dr. Rajiv Dhavan, learned senior counsel appearing for the applicants invited our attention to order dated 03.07.2012 passed by this Court in Contempt Petition (Civil) Nos.70-75 of 2012 in Special Leave Petition (Civil) Nos.18660-18664 and 18666 of 2011. The order made reference to an earlier order dated 10.08.2011 based on which certain directions were issued by this court on 03.07.2012.

The order is relied upon to submit that the entire amount of compensation having been made over to the concerned land owners without any condition or qualification, at this stage, the direction to refund the amount in excess of their entitlement would result in tremendous inconvenience and prejudice to the land owners.

Dr. Dhavan also submitted that considering the facts and circumstances on record, this Court may invoke the powers under Article 142 of the Constitution of India and direct that in peculiar facts and circumstances of the case, the land owners be not directed to refund the amount in excess of their entitlement.

Before we consider the submissions, it would be necessary to consider the record and the text of the order dated 10.08.2011.

We, therefore, direct the Registry to place the entire record of Contempt Petition (Civil) Nos.70-75 of 2012 in Special Leave Petition (Civil) Nos.18660-18664 and 18666 of 2011 on the next occasion.

The applicants are at liberty to file an additional affidavit before the next date of hearing.

List on 16.12.2019 at 10.30 am.

(MUKESH NASA)
COURT MASTER

(SUMAN JAIN)
BRANCH OFFICER