

Ghanshyam Dass Kedia and Others

Vs

N. P Singh, Secretary Government of India and Others

Contempt Petition No. 209 of 1997 and I.As. Nos. 6 and 7 in Civil Appeal No. 4579 of 1995

(K. Ramaswamy, D. P. Wadhwa JJ)

07.04.1997

ORDER

1. We have heard learned counsel on both sides.
2. This Court by order dated 12-12-1995 in Union of India v. Ghanshyam Dass Kedia ((1996) 2 SCC 285) had given direction to the DDA and the Union of India that 19 persons, the appellants therein, be given 330 sq. yards each uniformly for construction of their houses, as per plans sanctioned by the authorities, with all other amenities. It would appear that there was some problem which was not brought to the notice of the Court at the time when the matter was disposed of. IAs were filed, one by the Union of India and one by DDA. As per the application filed by the Union of India, they proposed four alternatives for allotment of the plots to them. After going through the record, we have put them to the learned counsel for the parties. Shri Harish Salve, learned Senior Counsel appearing for some of them, has also discussed with the parties. After the discussion, it now emerges that Alternative No. IV proposed by the Union of India is acceptable and is accordingly accepted by them. As per that, residential flats are required to be constructed for the said 19 petitioners in an extent of one acre of the land.

The area required for the said flats to be constructed by them will be "A. B. C. D. - 1.00 acre" and P & SP to be with DDA, the area is of 2 acres; thus, total area required is 3 acres. Hence, there is no need to cut the existing trees' growth. It is suggested that the petitioners themselves would make the construction under the direction and supervision of the DDA. That also is agreed. The Government of India would change land-use zone. The DDA is directed to give necessary sanction to the plans and supervise the construction; the petitioners would construct the flats according to the specifications and as per the sanction given by the DDA. The Union of India is directed to change the user of the land within two months from the date of the receipt of the order and DDA is directed to give necessary sanction and allot the land within four weeks thereafter.

3. The contempt petition and IAs are disposed of in the above terms.