

Delhi Bar Association

v.

Union of India & Others

R.C. LAHOTI,CJI., Y.K. SABHARWAL and G.P. MATHUR,JJ.,

(Supreme Court Of India)

Interlocutory Application No. 4-5 & 8-11 In W.P.(C) No. 437 Of 2000 | 30-08-2004

1. We have perused the contents of the affidavits filed on 13.8.2004 and 20.8.2004 on behalf of the Union of India and also perused the minutes of meetings held pursuant to the order dated 16.7.2004 passed by this Court. We have also heard the learned Counsel for all the parties appearing before us. Prima facie we are constrained to observe that the progress as reflected in the minutes of the meetings is not satisfactory and certainly not to the expectations of this Court.

2. A piece of land admeasuring 4 acres has been made available for the Court complex at Rouse Avenue, New Delhi. We feel that the area of the land made available, as above, may not satisfy the requirement of the Court complex keeping in view the need for expansion in future. According to the High Court of Delhi the requirement would be of about 8.25 acres.

3. During the course of hearing several suggestions were made before us, which, in the view of the parties making suggestions, would satisfy the requirement of additional land. We feel that these suggestions should be made in writing and brought to the notice of the Delhi High Court. We find from the contents of para IV of the affidavit filed on 20.8.2004 that though additional land measuring 12.5 acres is available at Rouse Avenue, New Delhi but that seems to have been kept apart for other purposes, such as Government offices' use. The details of this land and the proposed use should be made available to the Delhi High Court and the feasibility of re-allocation of land by reference to proposed use should be considered at the meetings to explore the possibility of more land being made available for the purpose of Court complex.

4. The parties are allowed the liberty of making suggestions in writing in this regard to the Delhi High Court within a period of three weeks from today. The Chief Justice of the High Court may allow participation in the hearing of such of the parties as come out with a concrete, reasonable and feasible suggestion. Soon after the expiry of three weeks, the process of consideration shall be resumed.

5. We expect the Union of India to adopt a positive approach towards satisfying the need of land for Court complex.

I.A...../2004 (filed on behalf of Delhi Police)

6. Ms. Rekha Pandey, Advocate appearing for Delhi Police submits that she has filed this application emphasising the need of additional space for judicial lock up in Patiala-House Court Complex as the paucity of accommodation in the lock up is posing a serious problem. The issue is significant from the point of view of law and order and safety of the under-trial prisoners. Let a copy of this application be delivered to the learned Counsel appearing for the Delhi High Court that the demand receives the consideration of the Hon'ble the Chief Justice of Delhi High Court.

7. List after six weeks.