

SUPREME COURT OF INDIA

Dakshinamurthy

Vs.

B.K.Das I.A.S

Contempt Petition (C) No. 144 of 2006

(Tarun Chatterjee, Deepak Verma and R.M.Lodha JJ.)

03.11.2009

ORDER

Tarun Chatterjee, J.

1. We have heard the learned counsel for the parties on the Contempt Application.
2. After hearing the learned counsel for the parties and after going through the materials on record and the application for Contempt, we are of the view that pending final disposal of the Contempt proceeding, the following order may be passed :- By a final Judgment, this Court directed the State/respondents to implement the Bangalore-Mysore 1 Infrastructure Corridor Project. Unfortunately, the said project has not yet been implemented by the State/respondents. On 4th of February, 2009, when this Contempt proceeding was taken up for hearing by this Court, Mr. G. E. Vahanvati, learned Solicitor General of India (as he then was) appearing for the State, stated before the Court that the State Government has decided to implement the Judgment of the High Court of Karnataka, as upheld by this Court, and needs time for implementation of the decision. Unfortunately, in spite of such submission made by the learned Solicitor General of India (as he then was), we are informed that the project has not yet been implemented. While some argument was advanced by the learned counsel for the parties and the Advocate General of the State, who is present today in Court, who submitted before us that the State has already taken all steps to implement the project and in fact, some lands have already been allotted to the applicants. Since the learned Advocate General of the State submitted that all possible steps have been taken to implement the project and to act in compliance with the Judgment of this Court, we direct that the State Government shall constitute a Committee to be headed by the Chief Minister of Karnataka for the purpose of implementation of the project in question, which will submit a report by 22nd of November, 2009 as to allotment and possession of lands for completion of the project and such steps can be taken within the time that may be mentioned in the report and the project shall be allowed to be completed as per the alignment specified in the Outline Development Plan dated 12th of February, 2004 issued by the Bangalore Mysore Infrastructure Corridor Area Planning Authority as per the Town and Country Planning Act.

3. Let this matter be placed for further orders on 26th of November, 2009 at 3.30 PM.