

CS SCJ 1050-20 INDERJEET SINGH VS. UNION OF INDIA

09.10.2024 (Upon mentioning at 10:00 AM)

Present: - Sh. Neeraj Sharma, Ld. proxy counsel for defendant no.1 through VC.

It is submitted that the main counsel is hospitalized due to heart related ailment.

Be awaited for first call.

DISHA SINGH
C.J-02, West, THC, Delhi
09.10.2024

At First Call 10:45 AM

Present: - Sh. Praveen Suri, Ld. counsel for plaintiff through VC.
Sh. Akhil Kumar, Ld. proxy counsel for plaintiff along with plaintiff.
Sh. Shivam Kumar, Ld. proxy counsel for MCD.
Ms. Pooja Chhabra, Ld. counsel for applicant along with applicant.

The parties have been apprised of the mentioning done by Ld. proxy counsel for defendant no.1 & 2.

It is submitted by Ld. counsel for plaintiff that he has no objection on humanitarian grounds, however, firstly it is defendant no.1 & 2 who need to argue upon the maintainability of the suit since the question of maintainability has arose due to the objections taken by defendant no.1 & 2.

At this stage, a bare perusal of the WS filed by defendant no.1 & 2 transpires that defendant no.1 & 2 has challenged the subject matter jurisdiction of this Court on the ground that proceedings under Section 15 of PP Act have been initiated qua the suit property. However, no documents to this effect are annexed along with the WS and same are crucial for

determining the maintainability of the present suit since the question of subject matter jurisdiction goes to the root of the present matter.

Accordingly, defendant no.1 & 2 are directed to file all necessary documents with respect to the alleged proceedings initiated by them U/s 15 of the PP Act qua the suit property by next date of hearing with a copy to plaintiff side.

It is clarified that these documents are necessary and indispensable and failing compliance by defendant no.1 & 2, their right to argue on the maintainability and defence will be struck off.

Matter stands adjourned today.

Let a Court notice be issued upon Sh. Pappu Kumar Singh, Deputy Land & Development Officer, Ministry of Housing and Urban Affairs, Nirmal Bhawan, Delhi-110001 with a direction to remain physically present on next date of hearing along with the documents requisitioned and compliance report in the present matter as one single opportunity. Let a copy of this order be also sent along with the Court notice for compliance, failing which appropriate adverse action will be taken.

Put up for compliance by defendant no.1 & 2 and arguments on the maintainability as last and final opportunity to defendant no.1 & 2 on **04.12.2024**.

**DISHA SINGH
C.J-02, West, THC, Delhi
09.10.2024**