

W.P.No18180/2014 (PIL)

11.02.2016

Ms Medha Patkar – appears in person with Shri Aditya Sanghi, Advocate for the petitioner.

Shri R.N. Singh, Senior Advocate with Shri Arpan J. Pawar, Advocate for the respondents No.1 and 2.

The four core issues have already been delineated in our order dated 26.03.2015. Today some grievance is made about possible delay in processing of the matters before the Collector.

Ms Patkar apprehends that if the sixty days period specified in Clause-(g) of the order dated 07.04.2015 is to be strictly followed by the Collector, in most of the cases the period will transcend beyond the time frame specified for submission of report by Justice Kaushal Committee.

We make it clear that for the time being we do not want to link both these processes. Justice Kaushal Committee is expected to submit report within the extended time. In some cases, process before the Collector may remain incomplete. That factual position can be noted in the report of Justice Kaushal Committee indicating the details of number of such cases and with remarks as to reason therefor. Justice Kaushal Committee need not wait for completion of 60 days time frame. The issues that may emanate on account of situation will be addressed by the Court on the next date when the report of Justice Kaushal Committee will be considered. This is essential to ensure that mechanism

specified in the order dated 07.04.2015 is implemented effectively and all the duty holders submit their response within the time frame specified therein.

The report of Justice Kaushal Committee may have to address matters, referred to in the order dated 26.03.2015, 07.04.2015 and 03.08.2015 respectively and not expand the scope of inquiry. If there is any doubt, immediate clarification from the Court may be obtained. For, the decision on the main issues referred to in the order dated 26.03.2015 cannot brook delay and will have to be resolved at the earliest on the basis of whatever information is collated by Justice Kaushal Committee.

List this matter presently on **13.04.2016** for considering whether the report received from Justice Kaushal Committee, ought to be made over to the parties, as it is or only portion thereof, as the case may be; and then to place the matter on **26.04.2016** for consideration of the report and further arguments.

Ordered accordingly.

Copy of this order be sent to Justice Kaushal Committee by e-mail/fax for information and necessary action.

(A. M. Khanwilkar)
Chief Justice

(Sanjay Yadav)
Judge