

Enclave Plot Holders (Allottees) Forum (Regd.)) and individuals (through Advocate Ms. Suman Lata Katiyar) appeared before the Committee and ventilated their concerns. The Learned Counsel appearing for the Parties had assured the Committee that the parties shall pay the fees.

3. Over the next hearings, the number of attendees to these proceedings steadily increased. Durga Builders Booking Holders Association, group of Applicants by the name of JK Kalra & Ors (through Advocate Mr. Ramashanker and Mr. Shivam Garg), another group of Applicants by the name of Usha Khatter & Ors (through Advocate Mr. Rajat Agnihotri), Edenbur Plot Holders' Association (through Advocates Mr. Ripu Adhlakha and Ms. Isha Tyagi), group of applicants by the name of Ms. Ritu Budhiraja & Ors. (through Advocate Mr. Vikrant Yadav), Okhla Enclave Joint Action Committee (through Advocate Mr. Vishal Arun) etc. However, the arrears of the fees of the Committee were not cleared by most of the Applicants as well as the State of Haryana, despite many reminders. Nonetheless, the Committee continued with the proceedings.
4. Thereafter the matter was placed before the Hon'ble Supreme Court, which culminated into the Judgment dated 03-10-2019 reported as (2019) 9 SCC 572. In paragraph 57 of the Judgment, the Hon'ble Supreme Court held as follows –

57. Remuneration payable to the Arbitrator:- As to the question of remuneration payable to the Arbitrator, reference can be made to the order dated 27.01.2016 wherein, it was provided that the fee shall be decided by the Arbitrator and be borne equally by all the parties. Accordingly, the Arbitrator shall decide his fee to be payable by the parties as directed by the learned arbitrator.

5. At the hearing dated 15-11-2019, after detailed discussions with all present, the following consensus was reached which was recorded in paragraph 15 of the Procedural Order No. 23 dated 15-11-2019-

The Committee has also discussed the aspect of the fees of the Committee. Although the Hon'ble Supreme Court has directed that the Committee may decide its remuneration, the Committee is mindful of the fact that Claimants appearing before the Committee are mostly from the less-advantaged sections of the society who have been patiently waiting for more than 2 decades for a roof over their heads. For this reason, the Committee does not wish to increase the fees fixed almost four years ago, i.e. vide Order No. 1 dated 20th February 2016. The Committee wishes to ensure that the fees of the Committee are equally borne by all the Claimants, and the burden is not concentrated on a few Associations only. It has been noted that some Associations have occasionally appeared before the Committee however have failed to share the expenses of the proceedings as well as the remuneration of the Committee. It is directed that each Association shall submit a detail of payments made to the Committee so far along with a List of its members. As far as the State of Haryana is concerned, it is disappointing that even after several reminders they have failed to clear the arrears of the fee of Rs. 3,50,000/-communicated vide emails as well as orally.

6. Despite orders of the Committee seeking information regarding the total number of Applicants and vakalatnamas, complete information was left wanting. It is reiterated that the intention of the Committee is to ensure that the fees is equally and fairly apportioned between all applicants. Vide

email dated 11-09-2020, the office of the Committee was constrained to again seek the required information from all concerned.

7. On the basis of the information received and the records of the Committee, the following number of participants have appeared before this Committee-

S NO.	NUMBER OF PERSONS	NAME OF THE LEARNED COUNSEL AND/OR THE PARTY
1.	15	Ms. Garima Singh Yadav Advocate (Vakalatnama dated 17-01-2020)
2.	68	Mr. Rajat Agnihotri Advocate (Vakalatnama dated 17-01-2020)
3.	16	Mr. Rajat Agnihotri Advocate (Vakalatnama dated 17-01-2020) for Commercial Plot Holders
4.	180	Mr. Shivam Garg Advocate (Vakalatnama dated 17-01-2020)
5.	59	Mr. Vijay Sharma Advocate (Email dated 03-07-2020)
6.	20	Mr. Keshav Hegde Advocate (Vakalatnama dated 15-02-2020) for Durga Builders Plot Booking Holders Forum
7.	15	Mr. Prem Prakash Kanwer, Advocate for Shri Bansi Lal Kanwar & Ors (<i>Vakalatnama is not signed by all concerned</i>)
8.	74	Mr. Ranbir Singh Yadav Advocate (Vakalatnama dated 05-12-2019)
9.	962	Mr. Sanjay Jain, Advocate (Vakalatnama dated 02-12-2019) for Durga Builders Plot Holders Welfare Association (Regd.).

10.	136	List of shop owners submitted by Mr. Kishori Lal, Durga Builders Plot Holders Welfare Association (Regd.)
11.	4	Ms. Suman Lata Katiyar, Advocate (Vakalatnama dated 10-04-2019)
12.	425	Mr. Rahul Malhotra Advocate for Durga General Plot holders Welfare Association
13.	254	Mr. Piyush Sharma Advocate for Okhla Enclave Plot Owners Welfare Association (Regd.).
14.	Not available	Mr. Sajan Narain, Advocate for Okhla Enclave Plot Holders (Allottees) Forum
15.	492	Mr. Vishal Arun Advocate (Vakalatnama dated 19-12-2017)

(Note: This table is not exhaustive and has been prepared on the basis of the vakalatnamas/ PoAs filed with the Committee.)

8. To ensure that the fees is apportioned equally amongst all the Applicants, the Committee has decided that for the time being each Applicant /Claimant shall pay Rs. 4,000/- (Rupees Four Thousand only). A reconciliation of Accounts shall be duly done at the end of the proceedings. Parties to ensure that such fees are paid by 30-09-2020.
9. The Committee is again constrained to note that despite repeated reminders, the State of Haryana has not paid the arrears of the fees of the Committee.



Justice Vikramajit Sen (Retd.)
Commissioner