

**BEFORE JUSTICE (RETD.) VIKRAMAJIT SEN
THE SOLE ARBITRAL TRIBUNAL**

In the matter of:

Okhla Enclave Plot Holders Welfare Association &Ors

Petitioners

Versus

Union of India & Ors

Respondents

Present:

Shri Piyush Sharma, Advocate with Shri M.P.Pandey, General Secretary of Okhla Enclave Plot Owners Welfare Association (Regd).

Shri Kishori Lal, Secretary of Durga Builders Plot Holders Welfare Association (Regd).

Shri Varun Garg, Advocate for Durga General Plot Holders Welfare Association.

Shri Saurabh and Shri Prince, Advocates for Shri JK Kalra & Ors.

Shri Rajat Agnihotri, Advocate for Mrs. Usha Khattar & Ors.

Shri Vikrant Yadav, Advocate

Shri Karanjot Singh Mainee for Durga Builders Plot Holders Welfare Association

Dr.Monika Gusain, Advocate on Record, Advocate for the State of Haryana with Shri Anil Dabas, DTP(P), Faridabad and Shri. N.S. Chauhan (Senior Town Planner), Faridabad.

Shri Satvik Varma, Shri Gaurav Kumar, Shri Lautaksh Joshi and Shri Udit Chauhan Advocates and Sanjeev Uppal for Durga Builders Private Limited.

**PROCEDURAL ORDER NO. 18
DATED 26th February, 2018**

1. In compliance of the Order dated 23rd December, 2018, the Learned Counsel for the State of Haryana, Dr. Monika Gusain, has handed over a copy of the Action Taken Report regarding removal of unauthorized construction / encroachment and the Corrigendum to the Report which are taken on record.
2. It is submitted by Learned Counsels for the various Plot Holders' Associations that they would now want the State Authorities to take over the development of the project as they have lost confidence in the private contractor. The Claimants have made an oral request to the Tribunal to direct the State to take over the development of the project.
3. However, none of the Counsels have been able to indicate a provision in Law that would enable a Tribunal of the present nature to pass such Orders. At this juncture the Learned Counsels for the various Plot Holders' Associations submit that they would be approaching the Hon'ble Supreme Court for appropriate directions.
4. Be that as it may, the Tribunal is presently of the opinion that it does not seem to have the powers to pass such Orders / Directions to the State. The Tribunal shall thus await further Orders by the Hon'ble Supreme Court of India. It is hereby made clear that the Tribunal shall welcome any Order passed by the Hon'ble Supreme Court.
5. It is also pertinent to note that the proceedings between the parties are becoming quite acrimonious.
6. The Tribunal shall reassemble on 28th March, 2018 at 4:30 p.m.



Justice (Retd.) Vikramajit Sen
Sole Arbitator