



International Environmental  
Law Research Centre

**NARMADA BACHAO ANDOLAN (PETITIONER)**  
**VS.**  
**UNION OF INDIA AND ORS. (RESPONDENTS)**

**Supreme Court of India, Record of Proceedings,  
Writ petition (civil) No. 319 of 1994**

**CASE NO. 319 OF 1994**

**ORDER OF 07 MAY 1999**

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*Supreme Court of India, Record of Proceedings,  
Writ petition (civil) No. 319 of 1994*

*Narmada Bachao Andolan (Petitioner)*

*vs.*

*Union of India and Ors. (Respondents)*

(for further directions)

(With appln. for stay, directions and exemption from filing official Translation)

WITH

W.P.(C) 345/94 (With appln. for ex-parte stay)

S.L.P.(C) 3608/85 (With appln. for impleading party)

C.A. 6014/94 (With appln. for stay)

W.P.(C) 104/97 (With appln. for directions)

T.C.(C) 35/95

I.A. No. 1-4 in Original Suit No. 1/99

(for interim injunction and amendment of plaint and O.R.)

DATE: 07/05/1999 THESE PETITIONS WERE CALLED ON FOR HEARING TODAY.

**CORAM:**

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE S.P. BHARUCHA

HON'BLE MR. JUSTICE B.N. KIRPAL

**UPON Hearing counsel, the Court made the  
following ORDER**

I. A. No. 11

Mr. Shanti Bhushan, learned Senior counsel appearing for the petitioner submits that he has made inquiries from Ms. Medha Patkar and on her instructions, he states that the news report, which is referred to in this application, is absolutely incorrect, false and baseless and that she had not made any such statement as is attributed to her.

In view of the statement made by Mr. Shanti Bhushan, learned Senior counsel, on instructions from Ms. Medha Patkar, no further action is required to be taken on this application. The application is, therefore, consigned.

I.A. No. 10

In response to this application, filed on behalf of the petitioners, seeking direction to restrict the height of the safety humps, Mr. H N Salve, learned Senior counsel appearing for the State of Gujarat and Mr. Ashok H Desai, learned Senior counsel appearing for the Union of India, submit that the apprehension expressed by the petitioners in the application that 'there is a proposal to complete the humps to 5 m' is not correct. It is stated that the humps on the dam shall be maintained as per the requirements prescribed by the Dam Safety Panel and that the humps, in any case, shall not exceed 3 m at all.

Mr. Shanti Bhushan, learned Senior counsel submits that in view of the statements made by Mr. H N Salve and Mr. Ashok H Desai, learned Senior counsel, no further order is required in this application. The application is, therefore, consigned.

C.W.P. 319 of 1994

The Grievance Redressal Authority has filed a supplement to the Report dated 8th April, 1999. Mr. H N Salve, learned Senior counsel undertakes to get copies of the supplement prepared and supplied to learned counsel for the parties.

An affidavit has been filed by the petitioners by way of comments to the report submitted by the Grievance Redressal Authority dated 8th April, 1999. The respondents may file their response to that affidavit, if so advised.

Comments, through affidavits, about the supplement to the Report dated 8th April, 1999 may be filed by the parties, with advance copy to the learned counsel opposite within four weeks and response, if any, to those affidavits, by the opposite parties, may be filed within four weeks thereafter.

O.S. No. 1 of 1999

State of Madhya Pradesh is the plaintiff in this suit. The Union of India and the State of Gujarat have filed applications praying for rejection of the plaint under Order XXIII Rule 6 of the Supreme Court Rules read with Order VII Rule 11 of the Code of Civil Procedure. Learned counsel for the State of Madhya Pradesh takes notice of these applications and prays for some time to file response to the same. Let the response be filed within six weeks. The application for interim injunction shall come up along with these applications on the next date.

Mr. T R Andhyarujina, learned Senior counsel appearing for the State of Maharashtra and Mr. Sushil Kumar Jain, learned Additional Advocate General appearing for the State of Rajasthan also want to seek instructions and file an application, if so advised. We permit them to do so.

List the matters on 22nd July, 1999 for directions/orders. In case this Bench is not meeting, it shall be specially constituted for that date after obtaining orders from the Chief Justice.

**(Kanchan Jain)**  
**AR-cum-PS**

**(A. Hirwani)**  
**A.R.**

FOR PETITIONERS/  
APPELLANTS/PLAINTIFF

Mr. Shanti Bhushan, Sr. adv.  
Mr. Prashant Bhushan, adv.  
Mr. Sanjeev Kapoor, adv.  
Mr. Videh Upadhyay, adv.  
Dr. K K Laroia, adv.  
Mr. Rabindra Singh, adv.  
Mr. K.R.R. Pillai, adv.  
Mr. Magan Bhai Barot, Sr. adv.  
Mr. E.C. Agrawala, adv.  
Mr. Mahesh Agrawala, adv.  
Mr. Triveni Polekar, adv.  
Mr. Rishi Agrawala, adv.  
Mr. Atul Sharma, adv.

Ms. Ashima Gupta, adv.  
Mr. K. Parasaran, Sr. adv.  
Mr. Anoop G Chaudhary, Sr. adv.  
Mr. S K Agnihotri, adv.  
Mr. Ashok Kumar Singh, adv.

FOR RESPONDENTS/DEFENDANTS

For UOI

Mr. Ashok H. Desai, Sr. adv.  
Mr. Pallav Sisodia, adv.  
Mr. Tufail A. Khan, adv.  
Mr. P Parmeshwaran, adv.  
Ms. Anuradha Bindra, adv.  
Mr. B V Balram Das, adv.

For Gujarat/

SSNNL

Mr. Harish N. Salve, Sr. adv.  
Mr. Kamal Trivedi, adv.  
Ms. H Wahi, adv.  
Mr. Preetesh Kapoor, adv.

For Maharashtra

Mr. T. R. Andhyarujina, Sr. adv.  
Mr. Subrat Birla, adv.  
Mr. D M Nargolkar, adv.  
Mr. G B Sathe, adv.

For M.P.

Mr. P. P. Rao, Sr. adv.  
Mr. Anoop G Chaudhary, Sr. adv.  
Mr. K. N. Shukla, Sr. adv.  
Mr. S K Agnihotri, adv.  
Mr. Ashok Kumar Singh, adv.

For Rajasthan

Mr. Sushil Kumar Jain, Additional  
Advocate General of Rajasthan  
Mr. Alakshendra Misra, adv.

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