

High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 28/06/2013

Honble Justice N.KUMAR AND

B.V.NAGARATHNA

28/06/2013

Order in WP 24739/2012

NKJ/BVNJ: WP NO.46601/2012 C/W

28.06.2013 WP NOS.24739-40/2012

30450/2012, 46523/2012

O R D E R

The petitioner in W.P.No.24739/2012 has filed application under Order I Rule 10(2) of the Code of Civil Procedure for impleading the impleading applicants.

In fact on 27.5.2013, this Court has observed, for effective implementation of the garbage policy in the city of Bangalore, it would be necessary to hear stakeholders who are going to be affected by the orders to be passed by this Court or they could also actively participate in the effort on the part of the Corporation to make Bangalore, a garbage free city.

Therefore, all the stakeholders who have shown interest in actively participating in this effort on the part of the Corporation are also sought to be impleaded. Application is not opposed. Therefore, issue notice on this application to all the proposed impleading respondents.

In W.P.Nos.24739-40/2012 on 6.11.2012 an application is filed to implead the Commissioner of Police, Ramki Enviro Engineers Ltd., In fact, in the other connected matter M/s Ramki Enviro Engineers are already made parties. Issue notice on this application to the Commissioner of police for impleadment.

In pursuance to the order passed on 27.5.2013, it is submitted on behalf of the Corporation that they have web hosted the two expert committee reports inviting objections and that they have received some objections. A request was also made on behalf of the petitioners that there was some confusion regarding the last date for submitting the objections and some of them

are under the impression that it is 05.07.2013 which is the last date. Therefore, they seek for extension of time to file objections. The request is granted.

In so far as Subramanyapura lake is concerned, the report of the Corporation shows that the attempt made to implement the directions issued by the Court have met with some obstruction and therefore, it could not be implemented.

A proceeding of the Chief Conservator of Forests of BBMP which is placed on record sets out the difficulties encountered by them and therefore, he had asked the Chief Engineer-BWSSB, Chief Engineer-SWM, Executive Engineer-KSAB, Tahsildar Bangalore South and Superintendent of Survey and Settlement to be present in the Court without fail to explain the difficulties. All of them are present before the Court. Today, they have assured the Court, by the next hearing date they will be able to implement all the orders without any exception and therefore, they sought for time.

The learned Government Advocate submits, if one months time is granted, the rules would be finalized and if possible, would be given effect to by the next hearing date, so that the persons who are indulging in throwing waste in the public could be penalized and thus prevented from indulging in such actions.

After the retirement of Sri Siddaiah, the Commissioner of Corporation, Bangalore, Sri Lakshminarayan has taken charge. He is also present before the Court. It would be necessary for him to read the judgment rendered by this Court in the Tender case, which is connected with the public interest litigation and also go through all the orders passed till now, so that personally he can acquaint himself and give effect to those orders.

Under these circumstances, we deem it proper to give one more opportunity to all the stakeholders to perform their duties diligently and report to the Court.

Therefore, the case is adjourned to 08th August 2013.

**An application is also filed in
W.P.No.46523/2012 for impleading the
Divisional Railway Manager, South Western
Railway. Issue notice on the impleading
application to the impleading applicant.**

**(N.KUMAR)
JUDGE**

**(B.V.NAGARATHNA)
JUDGE
bkp**

[Back](#)

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