

ITEM NO.301

COURT NO.13

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).12213/2019

[Arising out of impugned final judgment and order dated 20-02-2019 in WPC No.4099/2018 passed by the High Court of Delhi at New Delhi]

RAJEEV SURI

Petitioner(s)

VERSUS

ARCHAEOLOGICAL SURVEY OF INDIA & ORS.

Respondent(s)

(IA No. 110092/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

Date : 16-03-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

[Mr. Gopal Sankaranarayanan (Sr. Adv.), Court Commissioner with Mr. Vishal Sinha, Adv.]

For Petitioner(s) Mr. Shikhil Shiv Suri, Sr. Adv.
Mrs. Madhu Suri, Adv.
Ms. Jyoti Suri, Adv.
Ms. Wamika Chadha, Adv.
Mr. Vibhor Choudhary, Adv.
Mr. Deva Vrat Anand, Adv.
Mr. T. R. B. Sivakumar, AOR

For Respondent(s) Mr. Amrish Kumar, AOR

Mr. Sudarshan Lamba, AOR

Mr. Udai Khanna, Adv.
Mr. Kanu Agrawal, Adv.
Ms. Shivika Mehra, Adv.
Ms. Sunita Sharma, Adv.
Mr. B. L. N. Shivani, Adv.
Ms. Satvika Thakur, Adv.
Mr. Mohan Prasad Gupta, Adv.
Mr. Santosh Ramdurg, Adv.
Mr. Yogesh Vats, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. S.D. Sanjay, A.S.G.
Mr. Raj Bahadur Yadav, AOR
Mr. Siddhant Kohli, Adv.
Mr. Raman Yadav, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Mrigank Pathak, Adv.
Mr. Sarthak Karol, Adv.
Mr. Khushal Kolwar, Adv.
Dr. Arun Kumar Yadav, Adv.

Mr. Rakesh Sinha, Adv.
Mr. Arvind Gupta, AOR
Mr. Mohd. Ghulam Akbar, Adv.
Mr. Jeemon Raju K., Adv.

Mr. Shubhranshu Padhi, AOR

Mr. S. D. Sanjay, A.S.G.
Ms. Swati Ghildiyal, AOR
Mr. Rishi Yadav, Adv.

Mr. Rajkumar Bhaskar Thakar Ld, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Prasenjeet Mohapatra, Adv.
Mr. Sanjay Kumar Tyagi, Adv.
Ms. Neelakshi Bhadauria, Adv.
Mr. Rishikesh Haridas, Adv.
Mr. Ishaan Sharma, Adv.

Mr. S.D. Sanjay, A.S.G.
Mr. Praveen Swarup, AOR
Mr. Devesh Maurya, Adv.
Mr. Rohit Swarup, Adv.
Mr. Saurabh Rohilla, Adv.
Mr. Yunus Malik, Adv.
Mr. Sukhamrit Singh, Adv.

Mr. Shashank Bajpai, Adv.
Mr. Ankur Mishra, Adv.
Mr. Gurpreet Singh, Adv.
Mr. Nitish Dham, Adv.
Ms. Vidula Mehrotra, AOR
Mr. Gopichand, Adv.
Mr. Vatsal Tripathi, Adv.
Mr. Govind Singh, Adv.

Mr. Nitin Mishra, AOR

Mr. Udit Dedhiya, Adv.
Mr. V.N. Raghupathy, AOR

Mr. Apurv Sachdev, Adv.
Ms. Mythili S., Adv.
Mr. Venkata Raghu Mannepalli, Adv.

O R D E R

The matter was taken up today for the respondents to submit a status report in terms of the suggestions, which have been incorporated in our previous order dated 02.02.2026.

2. Today, Mr. Gopal Sankaranarayanan, learned Court Commissioner, has placed before the Court a summary of the reports, which were filed in terms of the order of this Court dated 02.02.2026. The same indicates that the number of monuments which are coming under the purview of the Archaeological Survey of India are 173. However, no affidavit has been filed on behalf of the Archaeological Survey of India.

3. The Court takes strong exception to the deliberate violation of the order of this Court. Accordingly, notice is issued to the Director General of the Archaeological Survey of India to show-cause, as to why, the Court may not initiate proceedings for contempt against him. He shall be personally present before the Court on the next date of listing along with his show-cause.

4. Coming to the Department of Archaeology, GNCTD, we find that all the 19 monuments identified by them have been inspected and with regard to majority of the aspects/areas indicated, there is compliance, except for location and geo-mapping. However, only a general statement has been made that there has been compliance on the issues indicated in the earlier orders. We direct for a further affidavit to be filed giving details of the 19 sites which

according to the Department of Archaeology, GNCTD, comes within its jurisdiction and which have also been inspected. It shall refer to all the areas indicated in our previous orders and also, what steps have been taken monument-wise. It should include up-to-date photographs of the sites in question.

5. Coming to the Municipal Corporation of Delhi (MCD), out of the 85 identified monuments, only 62 monuments have been surveyed, and, on a few aspects, the exercise is not complete. Further, no details of the actual position have been brought on record. Accordingly, the direction issued in the previous paragraph to the Department of Archaeology, GNCTD is extended to MCD also.

6. Coming to the New Delhi Municipal Corporation (NDMC), we find that out of the 54 identified monuments, only two monuments have been surveyed. Learned counsel for the NDMC submits that since the 52 sites indicated in the summary of report are lying within its jurisdiction, it has some responsibility to coordinate with the other concerned authorities, relating to their maintenance, which responsibility the NDMC shall discharge and shall not be found wanting. It is observed that whatever suggestions will come from the NDMC to actually and effectively monitor and coordinate the work between different agencies; based on the same, this Court shall issue appropriate direction to the agencies concerned, as may be required. However, since for the general coordination and overall maintenance, it is the NDMC which is responsible, we direct the NDMC to file a further affidavit giving details, monument-wise, with regard to their role and the role of other authorities and the scheme under which they shall discharge their onus of overall

supervision and coordination among all the other wings to ensure that the monuments are kept in the manner required.

7. The Court makes it clear that with regard to every monument, the location and geo-mapping along with the up-to-date photographs shall mandatorily be placed on record besides the details on all other issues indicated in our previous order dated 02.02.2026.

8. It appears that in suggestion no.2 of paragraph no.2 of the said order dated 02.02.2026 in which, we have called for a report from Ms. Swapna Liddle, the same was probably not communicated to her, due to which the matter has not proceeded, as far as that aspect is concerned. In view thereof, let the said order be communicated to Ms. Swapna Liddle, forthwith.

9. We request Ms. Swapna Liddle to be present in the Court on the next date of listing.

10. The further affidavits, as directed hereinabove in the present order, shall mandatorily be served to the learned Court Commissioner and the learned senior counsel for the petitioner latest by 10.04.2026.

11. In terms of our earlier direction, for the surrounding areas to the 'Gumti of Shaikh Ali', especially the quadrants surrounding it, a scheme has been floated, which has to be implemented by the Tourism Department of the State of GNCTD. However, the Tourism Department has sub-contracted it to two contractors.

12. Some suggestions have been given by the learned Court Commissioner and the learned senior counsel for the petitioner to the Department of Tourism. We request the learned Court Commissioner to communicate the same to the Department concerned so

as to ensure that whatever areas/concerns have been flagged, are addressed in the manner required. We further direct the Department of Tourism, GNCTD, to ensure that the pace of the work does not slow down and also that the project does not become a commercial venture. A status report be also submitted in this regard by the next date of listing. We also designate the learned Court Commissioner to act as the Nodal Officer for coordinating with the Authorities.

13. List on 13.04.2026 at 03:00 p.m.

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR