

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8235/2006

SURESH KUMAR & ORS. Petitioners
Through Mr. Ashok Kashyap & Mr. Kuldeep Singh,
Advocates.

versus

M.C.D. & ORS. Respondents
Through Mr. Ajay Arora & Mr. Kapil Dutta,
Advocates for MCD.
Mr. C. Mohan Rao & Ms. Sangeeta Chandra,
Advocates for DDA.
Ms. Manju Singhal, Advocate for Ms. Meera Bhatia,
Advocate for respondent No. 3.
Mr. Ashish Garg, Advocate for the society.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA

% **ORDER**
31.03.2008

1. Learned counsel for the respondent-MCD on instructions from Deputy Director (Horticulture) states that with effect from 1st January, 2008 no marriages are being permitted in the said park.
2. In view of the statement made by the learned counsel for the respondent-MCD, no further orders are required to be passed in the present petition as the basic prayer made in the writ petition was that commercial activities like marriage functions should not be held in park No.

212, located in residential area of Bhera Enclave, Paschim Vihar, New Delhi.

3. The second prayer made in the writ petition relates to building of a wall separating the community hall and the park. A boundary wall has been constructed by MCD. M/s Bhirochi Co-operative House Building Society has, however, filed an application stating that the boundary wall so constructed is contrary to the lay out plan and in fact park No. 212 is meant for a nursery school.

4. I am not inclined to go into all these aspects in the present writ petition. It is open to the co-operative society to take up these issues with MCD and in case wall has been constructed on the wrong location, the same can be re-constructed at the correct location. These issues are left open. Learned counsel for the respondent-MCD, however, disputes that the wall has been constructed at the wrong place.

The writ petition is accordingly disposed of.

SANJIV KHANNA, J.

MARCH 31, 2008

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