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

+ CONT.CAS(C) 803/2011

MOHD ZIAUL HAQUE

..... Petitioner

Through: Mr. Prashant Bhushan & Mr. Sumeet
Sharma, Advocates.

versus

PK TRIPATHI & ORS

..... Respondents

Through: Ms. Megha Bharara, Advocate for
the respondent No. 1.
Mr. Himanshu Upadhyaya,
Advocate for the respondent No. 2.
Mr. O.P. Saxena, Advocate for the
respondent No. 3.
Mr. Arun Birbal, Advocate for the
respondent No. 4/DDA.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
08.11.2011

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Issue notice. Learned counsel for the respondents accept notice.

The case of the petitioner is that the respondent/Delhi Urban Shelter Improvement Board (DUSIB) has not complied with the order passed by this Court on 15.11.2010 in W.P.(C.) No. 2562/2010 inasmuch, as, the DUSIB was required to examine the claim of the petitioners in the writ petition on the basis of documents with the said petitioners to show that they were entitled to be relocated under the applicable policy.

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the digital data is as per the physical
file and no page is missing.

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The case of the respondents in the writ petition was that the writ petitioners were not residing at the site in question, but were carrying on hazardous businesses.

In terms of the order dated 15.11.2010, the respondents, it appears, carried out joint inspection on 18.07.2011 and did not find any Jhuggi at the site in question. On that basis no further verification of the claims of the writ petitioners has been undertaken. This approach of the respondent cannot be appreciated in the light of the specific direction of the Court contained in the order dated 15.11.2010.

The respondent/DUSIB has not considered the documents sought to be relied upon by the writ petitioners.

This petition has been preferred by only one of the writ petitioners. The petitioner shall produce original documents it wishes to rely upon to establish his claim that he was residing in a jhuggi at the site in question at the time of demolition before the respondent No. 3 on 23.11.2011. The petitioner should appear personally before the DUSIB at the time of hearing. The process of examination of the documents shall be undertaken by DUSIB. The DUSIB shall pass a reasoned order in respect of the petitioner after examining/verifying the documents within a reasonable time and without any undue delay. If any other writ petitioner so desires, he/she may also approach the DUSIB in the same manner personally with his/her original documents, and his/her case shall also be examined/verified by the DUSIB and a

reasoned order passed expeditiously.

The petition stands disposed of with the aforesaid directions.



VIPIN SANGHI, J

NOVEMBER 08, 2011

'BSR'