

2 to 20 & 36 to 55

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

+ [2] W.P.(C) 4878/2012

RAM KANYA

..... Petitioner

Through:
versus

Mr.Jitender Tyagi, Advocate

MCD OF DELHI AND ORS

..... Respondent

Through:

Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [3] W.P.(C) 4879/2012

SARFARAJ

..... Petitioner

Through:
versus

Mr.Jitender Tyagi, Advocate

MCD OF DELHI AND ORS

..... Respondents

Through:

Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [4] W.P.(C) 4880/2012

SITA RAM

..... Petitioner

Through:
versus

Mr.Jitender Tyagi, Advocate

MCD OF DELHI AND ORS

..... Respondent

Through:

Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [5] W.P.(C) 4881/2012

MOHD. UMAR

..... Petitioner

Through:
versus

Mr.Jitender Tyagi, Advocate

MCD OF DELHI AND ORS

..... Respondents

Through:

Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [6] W.P.(C) 4884/2012

PRADEEP KUMAR

..... Petitioner

Through:
versus

Mr.Jitender Tyagi, Advocate

Signature Not Verified
Digitally Signed
By:AMULYA

9

MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [7] W.P.(C) 4885/2012

KAMAL SINGH Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [8] W.P.(C) 4887/2012

GOVERDHAN Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [9] W.P.(C) 4890/2012

SOHAN LAL Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [10] W.P.(C) 4891/2012

JAMAL Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.

Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [11] W.P.(C) 4893/2012

RAM CHARAN Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [12] W.P.(C) 4895/2012

HAR SAHAY Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondents
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [13] W.P.(C) 4897/2012

DIGEMBER MANDAL Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [14] W.P.(C) 4898/2012

SARLA DEVI Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondent
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [15] W.P.(C) 4899/2012

BABITA DEVI

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondent

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [16] W.P.(C) 4900/2012

SAANTU RAM

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondent

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [17] W.P.(C) 4902/2012

RAJU LAL

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondent

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [18] W.P.(C) 4903/2012

SALIM

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondent

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [19] W.P.(C) 4904/2012

SHER BAHADUR

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS Respondent
 Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
 Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
 from PS Okhla Industrial Area & SI Mr. Shiv Singh.
 Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
 Gupta Advocates for the MCD
 Mr. Parvinder Chauhan, Advocate for Delhi Urban
 Shelter Improvement Board.

+ [20] W.P.(C) 4905/2012

KAMLESH Petitioner
 Through: Mr.Jitender Tyagi, Advocate
 versus
 MCD OF DELHI AND ORS Respondent
 Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
 Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
 from PS Okhla Industrial Area & SI Mr. Shiv Singh.
 Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
 Gupta Advocates for the MCD
 Mr. Parvinder Chauhan, Advocate for Delhi Urban
 Shelter Improvement Board.

+ [36] W.P.(C) 4116/2012

BRIJ LAL Petitioner
 Through: Mr.Jitender Tyagi, Advocate
 versus
 MCD OF DELHI AND ORS Respondent
 Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
 Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
 from PS Okhla Industrial Area & SI Mr. Shiv Singh.
 Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
 Gupta Advocates for the MCD
 Mr. Parvinder Chauhan, Advocate for Delhi Urban
 Shelter Improvement Board.

+ [37] W.P.(C) 4117/2012

RAM LAL Petitioner
 Through: Mr.Jitender Tyagi, Advocate
 versus
 MCD OF DELHI AND ORS Respondents
 Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
 Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
 from PS Okhla Industrial Area & SI Mr. Shiv Singh.
 Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
 Gupta Advocates for the MCD
 Mr. Parvinder Chauhan, Advocate for Delhi Urban
 Shelter Improvement Board.

+ [38] W.P.(C) 4118/2012

URMILA DEVI Petitioner
 Through: Mr.Jitender Tyagi, Advocate
 versus
 MCD OF DELHI AND ORS Respondents
 Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
 Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
 from PS Okhla Industrial Area & SI Mr. Shiv Singh.
 Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
 Gupta Advocates for the MCD
 Mr. Parvinder Chauhan, Advocate for Delhi Urban
 Shelter Improvement Board.

+ [39] **W.P.(C) 4119/2012**

KHUSHI RAM

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.+ [40] **W.P.(C) 4120/2012**

MAINUDDEN

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.+ [41] **W.P.(C) 4121/2012**

MALTI DEVI

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.+ [42] **W.P.(C) 4122/2012**

SAROOP

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.+ [43] **W.P.(C) 4123/2012**

DEVRAJ

..... Petitioner

Through: Mr.Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD

Mr. Parvinder Chauhan, Advocate for Delhi Urban Shelter Improvement Board.

+ [44] W.P.(C) 4124/2012

RAM CHANDER Petitioner

Through: Mr.Jitender Tyagi, Advocate

versus

MCD OF DELHI AND AORS Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,

Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav

from PS Okhla Industrial Area & SI Mr. Shiv Singh.

Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh

Gupta Advocates for the MCD

Mr. Parvinder Chauhan, Advocate for Delhi Urban Shelter Improvement Board.

+ [45] W.P.(C) 4125/2012

RAM CHARAN Petitioner

Through: Mr.Jitender Tyagi, Advocate

versus

MCD OF DELHI AND ORS Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,

Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav

from PS Okhla Industrial Area & SI Mr. Shiv Singh.

Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh

Gupta Advocates for the MCD

Mr. Parvinder Chauhan, Advocate for Delhi Urban Shelter Improvement Board.

+ [46] W.P.(C) 4126/2012

RAM DAYAL Petitioner

Through: Mr.Jitender Tyagi, Advocate

versus

MCD OF DELHI AND ORS Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,

Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav

from PS Okhla Industrial Area & SI Mr. Shiv Singh.

Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh

Gupta Advocates for the MCD

Mr. Parvinder Chauhan, Advocate for Delhi Urban Shelter Improvement Board.

+ [47] W.P.(C) 4127/2012

SUSHILA DEVI Petitioner

Through: Mr.Jitender Tyagi, Advocate

versus

MCD OF DELHI AND ORS Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,

Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav

from PS Okhla Industrial Area & SI Mr. Shiv Singh.

Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh

Gupta Advocates for the MCD

Mr. Parvinder Chauhan, Advocate for Delhi Urban Shelter Improvement Board.

+ [48] W.P.(C) 4128/2012

OARVEEN BANO Petitioner

Through: Mr.Jitender Tyagi, Advocate

versus

MCD OF DELHI AND ORS Respondents

Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,

Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav

from PS Okhla Industrial Area & SI Mr. Shiv Singh.

- 25
- Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.
- + [49] W.P.(C) 4129/2012**
RAMA DEVI Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondents
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.
- + [50] W.P.(C) 4130/2012**
LILA RAM Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondents
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.
- + [51] W.P.(C) 4131/2012**
RAMESH Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondents
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.
- + [52] W.P.(C) 4132/2012**
AMIT KUMAR DUDEJA Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD AOF DELHI AND ORS Respondents
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr.Ajay Arora, Mr.Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.
- + [53] W.P.(C) 4133/2012**
CHANDRA PAL Petitioner
Through: Mr.Jitender Tyagi, Advocate
versus
MCD OF DELHI AND ORS Respondents
Through: Mr.Nazmi Waziri and Mr.Abhay Raj Varma,

Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr. Ajay Arora, Mr. Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [54] W.P.(C) 4134/2012

RAJESH YADAV

..... Petitioner

Through: Mr. Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr. Nazmi Waziri and Mr. Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr. Ajay Arora, Mr. Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

+ [55] W.P.(C) 4135/2012

OM PRAKASH

..... Petitioner

Through: Mr. Jitender Tyagi, Advocate
versus

MCD OF DELHI AND ORS

..... Respondents

Through: Mr. Nazmi Waziri and Mr. Abhay Raj Varma,
Advs. for GNCTD with SHO Mr. V.K.P.S. Yadav
from PS Okhla Industrial Area & SI Mr. Shiv Singh.
Mr. Ajay Arora, Mr. Kapil Dutta and Mr. Mukesh
Gupta Advocates for the MCD
Mr. Parvinder Chauhan, Advocate for Delhi Urban
Shelter Improvement Board.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER
13.09.2012

%

W.P.(C) 4878/2012 & CM.10007/2012 & W.P.(C) 4879/2012 & CM.10008/2012
W.P.(C) 4880/2012 & CM.10009/2012 & W.P.(C) 4881/2012 & CM.10010/2012
W.P.(C) 4884/2012 & CM.10014/2012 & W.P.(C) 4885/2012 & CM.10015/2012
W.P.(C) 4887/2012 & CM.10018/2012 & W.P.(C) 4890/2012 & CM.10022/2012
W.P.(C) 4891/2012 & CM.10023/2012 & W.P.(C) 4893/2012 & CM.10026/2012
W.P.(C) 4895/2012 & CM.10027/2012 & W.P.(C) 4897/2012 & CM.10029/2012
W.P.(C) 4898/2012 & CM.10030/2012 & W.P.(C) 4899/2012 & CM.10031/2012
W.P.(C) 4900/2012 & CM.10032/2012 & W.P.(C) 4902/2012 & CM.10033/2012
W.P.(C) 4903/2012 & CM.10034/2012 & W.P.(C) 4904/2012 & CM.10035/2012
W.P.(C) 4905/2012 & CM.10036/2012 & W.P.(C) 4116/2012 & CM.8587/2012
W.P.(C) 4117/2012 & CM.8588/2012 & W.P.(C) 4118/2012 & CM.8589/2012
W.P.(C) 4119/2012 & CM.8590/2012 & W.P.(C) 4120/2012 & CM.8591/2012
W.P.(C) 4121/2012 & CM.8592/2012 & W.P.(C) 4122/2012 & CM.8593/2012
W.P.(C) 4123/2012 & CM.8594/2012 & W.P.(C) 4124/2012 & CM.8595/2012
W.P.(C) 4125/2012 & CM.8596/2012 & W.P.(C) 4126/2012 & CM.8597/2012
W.P.(C) 4127/2012 & CM.8598/2012 & W.P.(C) 4128/2012 & CM.8599/2012
W.P.(C) 4129/2012 & CM.8600/2012 & W.P.(C) 4130/2012 & CM.8601/2012
W.P.(C) 4131/2012 & CM.8602/2012 & W.P.(C) 4132/2012 & CM.8603/2012
W.P.(C) 4133/2012 & CM.8604/2012 & W.P.(C) 4134/2012 & CM.8605/2012
W.P.(C) 4135/2012 & CM.8606/2012

At the oral request of the petitioners, Delhi Urban Shelter

Improvement Board is impleaded as a party to the writ petitions. Mr. Parvinder Chauhan is present in Court and is requested to accept notice in these matters.

The petitioners claim themselves to be the residents of Jhuggi Jhopri Colony known as Mazdoor Camp, Block-B, Okhla Industrial Area, Phase-I, New Delhi and also New Sanjay Camp for the last several years. It is the case of the petitioners that they have constructed Jhuggis with bricks and mud and have also been allotted numbers. The petitioners are aggrieved by the demolition action of the MCD by which the Jhuggis were demolished on 25.05.2012. Mr. Tyagi contends that the action of the MCD is illegal as the petitioners are not in the right of way and are thus entitled to protection under the Delhi Laws (Special Provisions) Act, 2012. As per the counsel for the MCD in a writ petition bearing No. 710/2007 the MCD was directed to remove the encroachments by order dated 17.11.2008. The concluding paragraph of order of 17.11.2008 reads as under:-

".....Taking into consideration that it is not in dispute that there are encroachments on the roads in an around the Okhla Industrial Area, Phases-I & II, New Delhi, it is directed that PWD, who is maintaining and developing the 100 ft. wide road dividing Okhla Industrial Area, Phases-I & II and Mohan Cooperative Industrial Estate, will remove the encroachments therefrom; and encroachments from the other roads, where the MCD is maintaining the roads, will be removed by the MCD. The encroachments as directed above, shall be removed within three months from today."

Mr. Arora submits that this order was not complied within the time allowed and a Contempt Petition has been filed and time has been granted to the MCD to comply with the order of 17.11.2008. It is contended that all the petitioners have built Jhuggis in the right of way which is evident from the site plan which was filed by the petitioners alongwith the writ petitions. Mr. Tyagi, learned counsel for the petitioners during the course of hearing has submitted that the petitioners do not come in the right of way. On 13.08.2012 this Court had passed the following order:-

"The grievance of the petitioners is that their JHUGGIES came into existence prior to 27th February, 2007, thus they are protected by the Delhi Laws Special Provisions Act. It is the case of the respondent/ MCD that JHUGGIES of the petitioners are situated in the right of way, and thus, JHUGGIES dwellers cannot be granted the prayer as sought; and further the petitioners have been removed, pursuant to the directions passed by this court in a Contempt Petition No.311/2012. Mr.Tyagi, counsel appearing on behalf of the petitioners refutes the submissions made by counsel for the MCD, as far as the submission that the 'JHUGGIES were on the right of way.

During the course of hearing a doubt has been created with regard to the area where the JHUGGIES were situated. While counsel for the petitioners submits that petitioners were residing either at Sanjay Camp or at Majdoor Camp, counsel for the MCD disputes the same. As agreed, SHO, Okhla Phase-I, is directed to mark the area where the petitioners were residing, on the site plan, which has been filed by the MCD (at page 32 of the paper book), which shall be supplied to the SHO. SHO will also identify the location of Sanjay Camp and the Majdoor Camp and the area where the JHUGGIES were situated, to enable this court to appreciate the rival submissions of the parties.

Counsel for the petitioners submits that petitioners are present at site and their JHUGGIES will not be re-constructed till further orders of this court.

List on 21.08.2012."

Pursuant to the order of 13.08.2012, a Status Report has been filed by the SHO of the area alongwith the site plan. The site plan shows that the area which was demolished is abutting the coal yard and a vacant plot marked in blue whereas there are four new Sanjay Camps and one Mazdoor Camp which are at some distance from the area in which the Jhuggis in dispute existed. This site plan also coincides with the site plan initially filed by the petitioners alongwith the writ petitions. According to the site plan filed by the SHO, the Jhuggis of the petitioners were in the right of way and thus cannot be protected under the Delhi Laws (Special Provisions) Act, 2012. Mr. Tyagi at this stage has submitted that since the petitioners and their families have been residing in the Jhuggi cluster for the last many years, liberty be granted to the petitioners to make a representation to the Director, Rehabilitation, Delhi Urban Shelter Improvement Board for alternative accommodation and a direction be issued to dispose of the application expeditiously as the petitioners are left

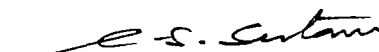
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without a roof over their head. The petitioners also pray that time be extended upto 05.10.2012 to enable the petitioners to remove their belongings. Accordingly, all the writ petitions are disposed of with the following directions:-

- (i) the petitioners are granted liberty to approach the Director, Rehabilitation, DUSIB to seek alternate accommodation as per the policy;
- (ii) the board will consider the request of the petitioners in accordance with law and within six weeks of receipt of the representations;
- (iii) the undertaking of the petitioners is accepted that they will remove their belongings by 05.10.2012 failing which, the MCD will be at liberty to clear the area and police protection will be provided by the SHO of the area;

Counsel for the newly added respondent submits that once the petitioners are removed, it may not be possible to find their present addresses. It is agreed that all the correspondence will be made at the address of Mr. Jitender Tyagi, Advocate or such other person who will be nominated by the petitioners by informing the Director, Rehabilitation, DUSIB. Mr. Tyagi has also pointed out that there are encroachments by the owner of the Coal Depot and the factory owner of B-18, Okhla, Phase-I and the MCD has turned a blind eye to the same. Mr. Arora submits that in case there is any encroachment or any unauthorized construction at Coal Depot and the factory bearing No. B-18, Okhla, Phase-I, the MCD after following due process will take suitable action expeditiously and not later than six weeks from today.

A copy of this order be given Dasti to the parties.


G.S.SISTANI, J

SEPTEMBER 13, 2012 mb