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

+ W.P.(C) 4335/2016

HAFIZ MOHD KHALID Petitioner

Through: None.

Versus

THE UNION OF INDIA & ORS Respondents

Through: Dr. L.C. Singhi, Adv. for R-1 & 2.

Mrs. Harvinder Oberoi for Mr. Devesh Singh,
ASC, GNCTD for R-3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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13.05.2016

CM No.18193/2016 (*exemption*)

Allowed, subject to all just exceptions.

W.P.(C) No.4335/2016 & CM No.18192/2016 (*stay*)

1. This public interest litigation has been filed with a prayer to direct the respondents No.1 and 2 to stop the alleged illegal and unauthorized construction and raising of a boundary wall in the Waqf Property bearing Khasra No.484, Near DPS, Nizammuddin, Mathura Road, New Delhi.
2. The petitioner himself stated that he had earlier filed W.P.(C) No.2145/2016 for the same relief which was dismissed by this Court. A perusal of the order dated 14.03.2016 in W.P.(C) No.2145/2016 shows that the petitioner was a former Imam of the Waqf Board whose services were terminated. This Court declined to entertain the said writ petition observing that the aggrieved party in case of alleged illegal construction is the Waqf Board and that a writ petition at the instance of a disgruntled Imam cannot

be entertained.

3. In the light of the admitted facts and circumstances of the case, it appears to us that the present petition is not *bonafide* and does not involve any public interest. Hence, the same does not deserve to be entertained even as a public interest litigation.

4. Accordingly, the writ petition is dismissed.

CHIEF JUSTICE

JAYANT NATH, J

MAY 13, 2016

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