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

+ **W.P.(C) 5435/2010 & C.M.No.10707/2010**

MEWA SINGH

..... Petitioner

Through **Ms.Apurva Upmanyu, Advocate.**

versus

COMMISSIONER OF POLICE AND ORS

..... Respondents

Through **Mr.D.Rajeshwar Rao with
Mr.Charanjeet Singh, Advocates for
Delhi Police.**

**Ms.Mini Pushkarna with Ms.Yoothica
Pallavi, Advocates for SDMC.**

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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13.05.2016

Present writ petition has been filed with the following prayers:-

- i) *Issue a writ or a direction in the nature of writ of mandamus directing the respondents not to interfere with the peaceful possession of the petitioner without due process of law;*
- ii) *Direct the respondent to consider the representation dated 21.9.2006 of the petitioner favourably and issue necessary order;*
- iii) *Direct the respondent to allot alternate site to the petitioner in case the same is required;*
- iv) *Pass any other order/writ or direction which this Hon'ble Court deems fit in the facts and circumstances of the case;*

It is pointed out to this Court that during the pendency of the present petition, the land in question has been transferred from MCD to PWD, Delhi Government.

Learned counsel for PWD, Delhi Government as well as Delhi Police fairly state that the petitioner shall be dispossessed only in accordance with the law. The aforesaid statement made by learned counsel for PWD, Delhi Government as well as Delhi Police is accepted by this Court and the said respondents are held bound by the same.

Accordingly, the present writ petition is disposed of with a direction to the petitioner to make a fresh representation to the PWD, Delhi Government within a period of one week. The said representation is directed to be decided by PWD, Delhi Government within a period of four weeks. While deciding the representation, the PWD, Delhi Government would also consider the feasibility of allotment of an alternative site to the petitioner.

Till the representation is disposed of by PWD, Delhi Government, the petitioner shall not be dispossessed from the taxi stand which is in his possession. However, the Police is directed to ensure that only the taxis and vehicles owned by the petitioner are parked in the said premises.

With the aforesaid directions, present writ petition and the application are disposed of.

MANMOHAN, J

MAY 13, 2016
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