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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3142/2016

RWA FREEDOM FIGHTERS
(FAUJI) COLONY/ENCLAVE

..... Petitioner

Through: Mr. Mukesh Kumar Verma, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Sanjoy Ghose, Advocate with
Mr. Vikramaditya, Advocate for
respondents No.1 and 2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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08.04.2016

CM Appl. 13435/2016 (exemption) in W.P.(c) 3142/2016

Allowed, subject to just exceptions.

W.P.(c) 3142/2016 & CM Appl. 13434/2016

Present writ petition has been filed seeking a direction to restrain the respondents from demolishing the residence of the petitioner colony known as Freedom Fighters (Fauzi) Colony/Enclave, B-Block, Neb Sarai, New Delhi constructed on Khasra Nos. 83, 85, Neb Sarai, New Delhi till a decision with regard to regularisation of the petitioner colony is taken by the Government of NCT of Delhi.

Learned counsel for respondents No.1 and 2, who appears on advance notice, states that his instructions from SDM Saket, are that there is no

proposal or decision to demolish the colony in question. He also clarifies that there is no Court order directing any demolition.

He, however, states that he is not aware whether the petitioner is a bonafide occupant of the premises in question.

The statement made by learned counsel for respondents No.1 and 2 is accepted by this Court and respondents No.1 and 2 are held bound by the same.

In the opinion of this Court, since there is no proposal or decision or Court order to demolish any property in the Freedom Fighters (Fauzi) Colony/Enclave, Neb Sarai, the present writ petition and application are infructuous and they are accordingly disposed of.

However, it is directed that in the event the respondents No.1 and 2 take a decision to demolish the properties in question, they shall demolish the same only in accordance with law.

It is clarified that the issue of ownership as well as occupation of the premises by the petitioner has not been adjudicated upon by this Court.

Order dasti under the signature of Court Master.

MANMOHAN, J

APRIL 08, 2016

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