

\$~28

\*

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

+

W.P.(C) 3326/2016

SHRI SABESTIAN VALLAPARAMPIL JOSEPH & ANR

..... Petitioners

Through Ms. Payal Jain, Advocate

versus

DDA & ORS

..... Respondents

Through Mr. Arun Birbal & Mr. Sanjay Singh,  
Advocates for R-1/DDA  
Mr. Jayendra, Advocate for R-3 with  
SI Deep Chand  
Mr. Ashok Kashyap, Std. Counsel for  
R-5

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

%

**20.05.2016**

Status Reports have been filed by respondent nos. 2 & 3.

The grievance of the petitioner is that the common area situated near the entry gate to the garages of the flat owners of Block BH, Flat No. 6B to D and Flat Nos. 7B to D, DDA Flats, Munirka, New Delhi has been encroached. It is contended that the respondent no .4 has put a chain at the half gate of the common area. Photographs have been annexed.

In the status report filed by respondent no.2, in para 3 it is stated that the impugned site i.e. the common area situated near the entry gate to the garages of the flat owners of Block BH, Flat No. 6B to D and Flat Nos. 7B to D, DDA Flats, Munirka, New Delhi was inspected on 12.05.2016 and it was noticed that two cars were parked in the said common area and there is no encroachment there except that an iron

chain has been put in the half gate. It is further stated that the half gate installed along with the chain at the impugned site is actionable. Similar is the report filed by the respondent no.3.

Ms. Vinita Sachdeva, wife of the respondent no.4 is present in the court and states that the chain was put by her for security purposes. However, she will remove the said chain. Let the chain be removed. In case the chain is not removed, respondent nos. 1 & 2 shall ensure that it is removed.

This writ petition is disposed off in above terms.

**A.K. PATHAK, J**

**MAY 20, 2016/sm**