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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6733/2011
VINOD KUMAR AND ORS Petitioners
Through : Mr. F. K. Jha and Mr. Shashank
Singh, Advs.
versus

CHANDER BHAN AND ORS Respondents
Through : Ms. Mansi Gupta, Adv. for
MCD/R-2.
Mr. Naushad Ahmed Khan, ASC
(Civil), GNCTD with Ms. Astha
Nigam, Adv.
Mr. Parvinder Chauhan, Standing
Counsel for DUSIB along with Mr.
Abhilash Vashisht, Adv.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **02.03.2016**

President of I-Block, Shopkeepers Welfare Association had filed the writ petition bearing no W.P. (C) No.14332/2005 for a similar relief which has been disposed of vide order dated 2nd December, 2010, wherein it has been observed that demolition action has already been taken except with respect to portion of the temple and which, as per the Religious Committee under the Chairmanship of Lt. Governor, is not to be demolished. In the counter affidavit of respondent no.3 filed in this case on 17th January, 2013 it has also been categorically stated that on 11th February, 2006 and 27th June,

2007, MCD conducted a demolition drive and removed all unauthorized construction raised except the room shaped as temple. It has been further mentioned in the affidavit that on 3rd September, 2011 a PCR call was received regarding unauthorized construction at Hanuman Mandir. When the police reached there, officials found that a boundary wall was being constructed in the temple and the same was stopped. Report of MCD also states that encroachment has been removed. Petitioner submits that encroachment has again come up.

The respondent nos.2 and 3 shall make a joint inspection on 30th March, 2016 to verify if any encroachment/ unauthorised construction has come up and if any such encroachment/unauthorized construction is found, same be removed by the respondent no.2 with the help of respondent no.3 and photographs be taken. SHO PS Jahangir Puri shall render full assistance to respondent no.2 including providing of adequate police force.

Status report be filed within six weeks.

Writ petition is disposed of in the above terms. Copy of the order be given dasti to learned counsels for parties.

A.K. PATHAK, J.

MARCH 02, 2016/dk