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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7731/2016**
FARID AHMED & ORS.

..... Petitioners

Through Mr.N.Pandey, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Through Mr.Sanjeev Sabharwal, Advocate for
SDMC/R-1 along with S.L.Saini,
A.E.(Bld.).
Mr.Wajeeh Safiq, ASC for R-2.
Mr.Uttam Datt, Advocate for R-3 to
R-5.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR
ORDER
% **02.09.2016**

W.P.(C) 7731/2016 & C.M. No.31911/2016

Petitioner is aggrieved by the fact that respondent no.6 (private respondent) is carrying out digging on a basement in the 200 years old Belwali Masjid, Near Lohe Ka Pul, Darya Ganj, New Delhi as a result of which the petitioner has strong apprehension that his shop (bearing No.5035) will be destabilized and in fact would be demolished. This illegal basement which is being dug in the aforementioned masjid be stopped.

On advance notice, learned counsel for respondent nos.1 and 2 both have put in appearance. Learned counsel for respondent no.2

(Delhi Waqf Board) submits that the petitioner and respondent no.6 are both tenants of the Delhi Waqf Board. This position is admitted by the petitioner. Counsel for respondent no.2 further states that no illegal activities is being carried out at the site as has been contended by the petitioner. This statement has been made on instructions from his Field Officer who had gone to visit the site two days ago and it was noted that there was no construction activities much less any illegal activity going on at the site. He further undertakes to ensure that no such illegal construction activities will be permitted by the Delhi Waqf Board and all actions in accordance with law will be initiated against the proposed offenders.

Learned counsel for respondent no.1 under instructions from the Department submits that this illegal structure forming a part of the mosque was booked on 02.5.2016 and actions in accordance with law will be taken which will include a demolition programme if it so permitted and if it is so in accordance with law.

These instructions as informed to the Court be implemented in true letter and spirit.

No further orders are called for.

Order dasti.

INDERMEET KAUR, J

SEPTEMBER 02, 2016
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