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

+ W.P.(C) 8843/2016 & CM No.36118/2016 (stay)

NAV JYOTI JAN KALYAN SAMITI (REGD.) AND ORS

..... Petitioners

Through Mr. L.C. Rajput, Advocate.

versus

LT. GOVERNOR, DELHI & ORS Respondents

Through Mr. Pankaj Sinha and Ms. Richa Singh, Advocates for respondent Nos.1 to 5 with Mr. Anil Kumar Sharma, E.E. and Mr. A.K. Gulati (AE), I&FD, Dept.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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04.10.2016

The petitioner has filed the present petition seeking a restraint on the respondents from making construction of *Kabristan*/cremation ground at Sadh Nagar (Near Nasirpur Village) Palam, New Delhi in Khasra No.543, Nasirpur. It is contended that since the said area is being used for burial of dead bodies of infants belonging to Hindu community, it cannot be used for *Kabristan*/cremation ground.

Learned counsel for the respondents, under instructions from Anil Kumar Sharma, E.E., I&FD Department, who is present in Court, submits that, as of now, no construction of cremation ground or *Kabristan* is being carried out and the only work which is now going on is repair of boundary wall, construction of pavement and laying of

grass and plants, subject to further clearance from the District Magistrate (South West). It is contended that, as of now, the proposal for development of cremation site has been deferred.

In view of the above, learned counsel for the petitioner does not wish to press the present petition at this stage and wishes to withdraw the same with liberty to approach this Court, if need so arises in future.

In view of the above, the writ petition is, dismissed as withdrawn reserving the liberty of the petitioner as prayed for.

SANJEEV SACHDEVA, J

OCTOBER 04, 2016
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