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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8751/2014 & CM APPL. 20102/2014

POONAM & ANR.

Through

..... Petitioners

Ms. Sumbul Nizam, Advocate

versus

UNION OF INDIA & ORS.

Through

..... Respondents

Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Rachit Goel, Advocate for
R-1/UOI.

Mr. Naushad Ahmed Khan, ASC
(Civil), GNCTD with Ms. Astha
Nigam, Advocate for R-2/PWD.

WITH

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W.P.(C) 8831/2014 & CM APPL. 20265/2014

KANCHAN SHUKLA

Through

..... Petitioner

Ms. Sumbul Nizam, Advocate

versus

UNION OF INDIA & ORS.

Through

..... Respondents

Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Rachit Goel, Advocate for
R-1/UOI.

Mr. Naushad Ahmed Khan, ASC
(Civil), GNCTD for R-2/PWD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

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ORDER

28.03.2016

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Petitioners have filed the present writ petitions claiming to be owners of land in Basai Darapur and have sought stay of demolition.

Respondents in their counter-affidavits have stated that as the structures of the petitioners fell on the right of way i.e. public road, the same were demolished by PWD in November 2014.

On 1st May, 2015, this Court had directed fresh unauthorised constructions to be also demolished.

Today in Court, a copy of the demolition report has been handed over by learned counsel for respondents to learned counsel for petitioners.

Keeping in view the aforesaid demarcation report, this Court is of the view that serious disputed questions of fact arise for consideration. Accordingly, present writ petitions and applications are dismissed with liberty to petitioners to avail of other remedies in accordance with law.


MANMOHAN, J

MARCH 28, 2016

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