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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 9051/2015, C.M. No.20468/2015 & C.M. No.31968/2015
AKHIL BHARTIYA YADUVANSI MAHASABHA (REGD.) &
ORS.

..... Petitioner

Through Mr.V.K.Jha, Advocate

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Through Ms.Monika Arora, Advocate for R-1.
Mr.R.P.Iyer and Mr. Shatrajit
Banerjee for Mr.Gautam Narayan,
ASC for R-2.
Mr.Arjun Pant, Advocate for R-3.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **09.09.2016**

Petitioner is aggrieved by the inaction on the part of the Statutory Bodies in not removing the encroachment and stopping the commercial activities at Naharpur Village, Sector-7, Rohini, Delhi. It is stated that car repairing, denting, painting and car washing is going on at the aforementioned place which is completely against the Bye Laws of the Corporation as the such activities are not permitted to be carried on the road.

Status report has been filed by the North DMC/R-1. In the status report it has been stated that the encroachments in the shape of thada/chabutra and sheds outside shops from entire Naharpur Car Market have been removed; during the course of removal action

certain vehicles were removed from the public land. The persons who were carrying out this unauthorized activities have also been prosecuted and challan under Section 417/430 of the DMC Act has been lodged which is now pending before the concerned Magistrate.

Status report has also been filed by respondent no.2/Delhi Police. It is stated that on 12.10.2015 an action for removal of temporary encroachment in the aforementioned place was undertaken by respondent no.1 but no re-encroachment has taken place subsequent the said drive. Two sub-inspectors, one head constable, four constable have been deployed to keep vigil in the aforementioned area i.e. the Naharpur Village area. Learned counsel for respondent no.2 further submits that a drive for removing encroachment has been carried out on 08.4.2016. It is pointed out by respondent no.2 that all actions as have been incorporated in their status report shall be continuously undertaken and this will be done in true letter and spirit.

Counsel for the petitioner points out that the Corporation has taken necessary actions but the Police/respondent no.2 are not adhering to their commitments.

Noting these submission as also the again submission of the Delhi Police/respondent no.2 that they will honour their commitment in true letter and spirit and ensure that a constant vigil on the aforementioned site is continuously undertaken and all illegal deviations are informed to the Corporation/respondent no.1 who in turn will remove the said deviations is noted. The police force to be provided to respondent no.1 for the aforementioned necessary action envisaged in case unauthorized and illegal activities are found is also noted.

These commitments of respondent nos.1 and 2 will be honoured jointly.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

SEPTEMBER 09, 2016
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