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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 73/2016**
ASHOK YADAV

..... Petitioner
Through Ms.Neha Jain and Mr.Ankit Sharma,
Advocates.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents
Through Ms.Puja Kalra, Addl.Standing
Counsel for North DMC.
Mr.Anju Aggarwal, Addl. Standing
Counsel for GNCTD.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **21.07.2016**

Present petition has been filed by the petitioner seeking a direction qua respondent no.1/North DMC to remove the unauthorised and illegal encroachments which have caused congestion on the public road i.e. the main road from Badali Railway Station to G.T.Karnal Road. Submission is that in spite of complaints having been addressed to the Statutory Body no application has been taken. Respondent no.1 i.e. the North DMC has filed its affidavit wherein it is stated that the encroachments on the aforementioned land is present and in fact removal action has been sought to be taken by the department on 13.01.2016 and again on 22.01.2016. Further submission of the learned counsel appearing for respondent no.1 is

that this drive has also been carried on 15.4.2016 and again yesterday. Additional submission being that there are vegetable vendors and hawkers who have popped up at the site instantaneously and all efforts are being made by respondent no.1 to remove them as and when they encroached upon the site. Further submission is that they undertake to ensure that this drive will be continuously carried out by respondent no.1 and in case the encroachers come again the same will be removed.

Respondent no.1 seeks assistance of respondent no.3 (police force). Counsel for respondent no.3 is present. They also shall be bound by the statement/undertaking given by respondent no.1.

Respondent no.2 is the Public Works Department. Their affidavit is also on record wherein it is submitted that this site had been handed over to them by respondent no.1. It is stated in para 6 of the affidavit that the Right of Way of the road is 24 meters and length is 1250 meters.

All the respondents shall co-jointly ensure that this Right of Way of 24 meters width and 1250 meters which is the length of the road is maintained.

No further orders are called for. Petition disposed of.

INDERMEET KAUR, J

JULY 21, 2016
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