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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 571/2017 & CM APPLs. 2631-2632/2017

SURESH KUMAR GULABANI..... Petitioner

Through Ms. Tasneem Ahmadi with
Ms. Shubhi Khare, Advocates

versus

DDA AND ANR

..... Respondents
Through Mr. Sanjeev Sabharwal, Standing
Counsel with Mr. R.D. Bhardwaj, Dy.
Director (Hort.) for DDA.
Mr. Rajat Malhotra, Advocate for R-2.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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24.01.2017

Present writ petition has been filed seeking a direction to the respondents not to demolish the remaining boundary walls, eatery and structures of the petitioner on Khasra No. 215 (min.) and 216 (min.) of Village Hauz Rani, New Delhi. Petitioner further seeks a direction to respondents not to dispossess the petitioner from the aforesaid land.

It has been averred in the writ petition that the petitioner had earlier filed a writ petition being W.P.(C) 952/2015 seeking similar reliefs and the same was disposed of vide order dated 07th October, 2016 wherein the Court recorded that the petitioner's father is owner of Khasra No. 215 (min.) and 216 (min.) and liberty was given to file appropriate proceedings for determining the exact location of the aforesaid land. The Court further directed respondent-

DDA to maintain status quo with regard to possession and construction in respect of the aforesaid land till the alternative proceedings are concluded.

On 20th January, 2017, when this writ petition was listed upon an urgent mentioning being allowed by the Division Bench, the counsel for respondent-DDA had stated that it had not carried out any demolition or the dispossession in the relevant portion of Khasra No. 215 (min.) and 216 (min.) on 17th / 18th January, 2017 as alleged.

Today, Mr. Sanjeev Sabharwal, learned standing counsel for respondent-DDA, on instruction of Mr. R.D. Bhardwaj, Dy. Director (Horticulture), DDA, states that the park in Hauz Rani in front of Select City Mall, Ward No. 162 called Jamunwala Park which is under the jurisdiction of Horticulture Department, South Zone, SDMC has been handed over to Select City Mall, Saket for development/improvement under CSR Scheme by SDMC. He states that the employees of the Select City Mall, Saket City Mall, Saket and SDMC are working in park for improvement but the local residents are creating some problems and want to stop the development work.

In view of aforesaid statement and the fact that the SDMC and the Select City Mall are not parties to the present writ petition, present petition and applications are disposed of with liberty to the petitioner to file appropriate proceedings on the same cause of action in accordance with law.

Order dasti under signature of Court Master.

MANMOHAN, J

JANUARY 24, 2017

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