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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2667/2014**
DARSGAH-E-ISLAMIA INTEZAMIA COMMITTEE

..... Petitioner

Through Mr. Mobin Akhtar and Ms. Noor
Alam, Advocates

versus

DELHI DEVELOPMENT AUTHORITY & ORS

..... Respondents

Through Mr. Arjun Pant, Advocate for DDA
Mr. Parvinder Chauhan, Advocate for
NDMC
Mr. Devesh Singh, ASC, GNCTD,
with Ms. Neelam Kholiya, Advocate
for R-3

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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24.10.2017

Petitioner has approached this Court seeking issuance of Writ of Mandamus for allocation of Muslims Burial Ground in Sector-19, Rohini, Delhi.

It is strenuously contended by Id. counsel for the petitioner that under the Master Plan, Delhi 1967, such burial ground was earmarked in Sector-19, Rohini, Delhi only, and the land for the purpose is still available. As per the plea of the respondents-DDA and NDMC, the Residents' Welfare Association of Sector-19, Rohini, Delhi, had objected to such Burial Ground and conceding to such request, the

respondent-DDA had changed land use of an area 4826.96 Sq. Mtrs. in Village Mubarak Pur, Sector-14, Rohini, Delhi from residential to public and semi facilities for Kabristan (Burial Ground) and notified it for the purpose. Ld. counsel for the petitioner records objection to it by strenuously contending that such notification is inconsequential, inasmuch as, such location is almost 20 Kms. away from Sector 19, Rohini, Delhi. The subject matter, as, it appears, is substantially falling within the administrative domain and requires to be so dealt with, in the first instance. It is therefore, desirable that keeping in view the requirements of the petitioner; the sentiments of others in the surrounding area; and, availability of the land in the vicinity, if it cannot be permitted at the site, which was earmarked in the Master Plan, Delhi of the year 1967, a fresh holistic view is taken in the matter.

In view of the afore-going, the instant petition is disposed of with a direction to the respondent-DDA to treat the instant petition as a representation of the petitioner and take a decision by a speaking order, as expeditiously as possible.

Petition stands disposed of accordingly.

A. K. CHAWLA, J

OCTOBER 24, 2017

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