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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3714/2017

SUMAN DEVI & ORS Petitioners
Through: Ms.Mallika Parkar, Adv.

versus

NORTH DELHI MUNICIPAL
CORPORATION & ORS Respondents
Through: Mr.Ajay Arora and Mr.Kapil Datta, Adv.
for R/NDMC.
Mr.Kush Sharma, Adv. for R-2.
Mr.Manish Srivastava, Adv. for R-3 to 5.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
03.05.2017

W.P.(C) 3714/2017 & CM No.16324/2017

1. The petitioners have filed this petition for stopping respondents no.3 to 5 from carrying on any construction in the '*gali*' near house no.8699, Shidi Pura, Karol Bagh, New Delhi.
2. According to the petitioners, there was a '*gali*' which is shown in red colour in the site plan filed at page 17. Respondent no.1 has filed the status report, according to which, respondents no.3 to 5 have stopped the construction work till the determination as to the existence of the '*gali*'.
3. Learned counsel for respondents no.3 to 5 submits that there is no '*gali*' at the place marked in red colour in the site plan at page 17. It is submitted that respondents no.3 to 5 have a conveyance deed dated 13th January, 1961 according to which respondents no.3 to 5 are the owner of

126.00 sq.yards of land mentioned in the plan, details whereof are given in Schedule I of the Conveyance Deed in favour of the grandfather of respondents no.3 to 5. It is submitted that respondents no.3 to 5 have area admeasuring 126 sq. yards.

4. This Court is of the view that it would be appropriate that respondent no.1 treats the copy of this writ petition as petitioners' representation. Let copy of this writ petition be treated as petitioner's representation and be considered by respondent no.1. Respondent no.1 shall give an opportunity of hearing to the petitioner as well as respondents no.3 to 5 and pass a reasoned order which shall be communicated to the petitioners as well as respondents no.3 to 5. Respondent no.1 shall endeavour to decide the petitioners representation within a period of three weeks from today.

5. The petition and the pending application is disposed of in the above terms.

6. Needless to say that in case the petitioners and/or respondents no.3 to 5 are not satisfied with the decision of respondent no.1, they would be at liberty to avail appropriate legal remedies available to them in accordance with law.

7. Copy of the order be given *dasti* under signatures of the Court Master to learned counsel for the parties.

J.R. MIDHA, J.

MAY 03, 2017

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