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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4903/2017**

SURENDER SONI Petitioner
Through **Mr. Y.S.Chauhan** , Advocate

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through **Mr. Sanjeev Sabharwal**, Standing
Counsel for NDMC.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **04.12.2017**

Instant petition came to be filed seeking issuance of Writ of
Mandamus, with the prayers, as follows :

“i. Issue an appropriate writ in the form of Mandamus and/or any other appropriate writ, order or direction thereby directing the Respondents to positively remove all the garbage from the Public Parks, maintain trees, sowing of green grass and regularizing watering them and light facilities in all public parks at pocket F-3 Sector-16, Rohini Delhi-85.

ii. Issue an appropriate writ in the form of Mandamus and/or any other appropriate writ, order or direction thereby directing the Respondents to positively remove all the stray dogs from the locality.

iii. The respondents may further be directed to fix permanent accountability and responsibility and to initiate disciplinary proceedings against the Erring Officials.

iv. To impose cost upon the respondent and award compensation in favour of the petitioner and against the respondents/Issue any other writ or order of the like nature as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case may also be passed.”

In the status report, the respondent NDMC has stated, as follows :

“.....
.....

2. In compliance of order dated 29.05.2017 of the Hon'ble High Court, my predecessor Sh. Nahar Singh, the then Deputy Director (Hort.), Rohini Zone has carried out inspection of the public parks (5 nos. of parks) at Pkt F-3, Sec-16, Rohini, Delhi on 09.06.2017 at about 4:00 PM in the presence of petitioner Sh. Surender Soni.

3. During the inspection except one park situated opp. F-3/51, Sector-16, Rohini, Delhi, the remaining parks were found lying in cleaned condition. However, in one park i.e. park opp F-3/51 Sector-16, Rohini, Delhi, some garbage were found lying at one corner of the park. The grass on the ground has not been found developed in all these parks. The photographs taken during site inspection of the parks are placed at ANNEXURE R-1.

4. After inspection, the cleaning of the park in question i.e. park opp F-3/51, Sector-16, Rohini, Delhi has been carried out within one week from the date of inspection. The grass, plants & shrubs have also been planted in these parks and the greenery is under process of development. The photographs taken after cleaning operations/grassing, planting of trees & shrubs are attached as ANNEXURE R-2.

5. Further routine maintenance of these parks shall be carried periodically by the Horticulture Department, Rohini Zone.”

In view of the action taken and contemplated, Id. Counsel for the petitioner submits that he has instruction to not to press the petition further, with the liberty however, to approach this Court afresh, if, a fresh cause of action arises. Petition stands disposed off accordingly.

A. K. CHAWLA, J

DECEMBER 04, 2017

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