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

+ W.P.(C) 5908/2017

MANOJ KUMAR

..... Petitioner

Through: Mr Vinod Diwakar with Mr Ravindra
Kumar, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Mr Prabhav Ralli and Mr Mohit
Chugh, Advocate for Mr Sanjeev
Ralli, Advocate for DPCC.
Mr Praveen Kumar Aggarwal,
Advocate for SDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.07.2017

CM No.24605/2017

1. Allowed, subject to all just exceptions.

W..P.(C) 5908/2017 & CM No. 24604/2017

2. The petitioner has filed the present petition, inter alia, praying that an appropriate writ, order or direction be issued to the respondents to stop operation of Nursing Home at property bearing No. House no.3, Shahi Road, Bhogal, Jangpura, New Delhi-110014.

3. The petitioner states that he resides in first floor of the said building and respondent no.6 has started operations of the Nursing Home in the basement, ground floor, second floor and third floor of the said building. It is also his case that none of the necessary permissions including from South

Delhi Municipal Corporation (SDMC) or from the Pollution Board have been taken.

4. The learned counsel for the Delhi Pollution Control Committee (respondent no.4) states that it is necessary to obtain permission for bio waste before commencing any such operations and respondent no.4 shall examine the complaint of the petitioner.

5. The petitioner also states that he has already made complaint to various authorities including the Director General of Health Services as well as SDMC; however, the same has not been considered.

6. In view of the above, it is directed that the present petition be treated as a representation of the petitioner by the Director General of Health Services (respondent no.2) as well as by SDMC (respondent no.3). They shall examine the matter and the complaint of the petitioner is found justified, take all necessary steps within a period of eight weeks from today in accordance with law.

7. The writ petition is disposed of with the aforesaid directions.

8. It is clarified that this Court has not made any observations as to the merits of the complaint made by the petitioner and nothing stated in this order should be construed as such.

VIBHU BAKHRU, J

JULY 17, 2017
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