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

+ **W.P.(C) 6544/2017**

RENU SHARMA & ORS

..... Petitioners

Through Mr Vivek Chib, Mr Joby P. Varghese,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through Ms Gunjan Sinha Jain, Advocate with
Mr R.P. Singh, Project Director NHAI Ghaziabad.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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30.07.2017

CM 27121/2017

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 6544/2017 & CM 27120/2017 (stay)

3. The petitioner has filed the present petition impugning an order dated 22.07.2017 passed by the Administrator NHAI. Mr Chib, the learned counsel for the petitioners states that the issues involved in the present petition are identical to the issues involved in W.P.(C) 6545/2017 and W.P.(C) 6546/2017 although the land in question in this petition falls in a different Khasra number, that is Khasra number. 27/22. The learned counsel for the parties submit that the order passed in those writ petitions would also be determinative of the issues involved in the present petition.

Accordingly, the present petition is also disposed of for the reasons as stated in the order passed today in W.P.(C) 6545/2017 and W.P.(C) 6546/2017. However since the property in question in this petition is vacant, a period of four weeks is not required for demolition and vacation of the same. Thus, Mr Chib states that the petitioner would demolish the construction in question and hand over the vacant possession to NHAI within a period of one week from today instead of four weeks as volunteered in W.P. (C) 6546/2017 and W.P.(C) 6545/2017. The petitioner is bound down to the said statement.

4. The petitioner shall also file an undertaking by way of an affidavit to the aforesaid effect on 31.07.2017 (that is tomorrow) and ensure that the copy of the same is served to the learned counsel for the NHAI. Subject to the said undertaking being filed, it is directed that the respondent shall not take any steps for forcible demolition or eviction of the petitioner. It is clarified that if the undertaking in the form of affidavit is not provided as indicated above, the NHAI would not be interdicted in any manner in proceeding pursuant to the impugned order.

5. There is no dispute that the petitioner would be entitled to compensation under the relocation package. Given the situation the petitioner is in, it is expected that the petitioner would require immediate assistance and, therefore, the concerned authorities are directed to ensure that the petitioner's claim for compensation under relocation policy is processed as expeditiously as possible and preferably within a period of six weeks of the petitioner submitting her claim. However, it is clarified that the petitioner's undertaking to vacate the land in question is not contingent

on the petitioner's application under the relocation package being processed.

6. The petition is disposed of with the aforesaid observations.

7. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

JULY 30, 2017

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