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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12219/2016 and CM No. 48199/2016**
GREEN COCONUT ASSOCIATION (REGD.) Petitioner
Through: Mr Varinder Singh Dhiman,
Advocate.

versus

DELHI AGRICULTURAL MARKETING BOARD
AND ANR Respondents
Through: Mrs. Avnish Ahlawat, Advocate for
R-1 & 2.
Mr Ajjay Arorra and Mr Kapil Dutta,
Advocates for NDMC.
Mr Sidharth Singh, Advocate for R-4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **07.11.2017**

1. The petitioner – an association of traders engaged in trading green coconut – has filed the present petition, *inter alia*, praying as under:-

- “a. Issue a Writ of Prohibition/Mandamus or any other appropriate writ, order or direction restraining the Respondents from carrying on illegal, arbitrary construction in the market yard.
- b. Issue directions to the respondents to prepare a detailed outlay of the APMC, Azadpur so as to ensure that the same is in compliance of Master Plan Delhi 2021.”

2. It is the petitioner’s allegation that respondent nos.1 and 2 are carrying out illegal and arbitrary construction in market yard and such construction is contrary to the building byelaws.

3. Ms Ahlawat, learned counsel appearing for respondent nos. 1 and 2 submits that pursuant to directions issued by the learned Civil Judge, Delhi,

respondents have initiated action for removal of encroachment in the market yard in question (APMC, Azadpur). Mr Arorra, learned counsel appearing for North Delhi Municipal Corporation states that certain permissions have been granted to the respondents for enhanced coverage.

4. The respondents could have no objection if the concerned officers of North Delhi Municipal Corporation examine the construction which is already carried out by respondent nos 1 and 2, to ensure the same in conformity with law. It is so directed.

5. The concerned officers of North Delhi Municipal Corporation would after hearing the parties and inspecting the premises in question, take an informed decision as to whether any building has been constructed by respondent nos. 1 and 2 and is it contrary to the applicable laws. The same would be communicated to the concerned parties.

6. Insofar as the petitioner's second prayer is concerned, that is, to prepare a detailed lay out plan of APMC, Azadpur in conformity with MPD 2021. This Court is informed that the said Plans are to be prepared and maintained by DDA. Accordingly, the petitioner is granted liberty to approach DDA for obtaining the lay out map of APMC, Azadpur and DDA is directed to supply the same.

7. The petition and the application are disposed of with the aforesaid directions.

VIBHU BAKHRU, J

NOVEMBER 07, 2017
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