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

+ **W.P.(C) 8523/2017**

MOBIN ANSARI & ORS

..... Petitioners

Through Mr Shahid Ali, Advocate with
Mr Bhsuhra Hasan, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through Ms Mini Pushkarna, Standing Counsel
for DUSIB/R2 with Mr Rakesh Kumar, AE,
DUSIB with Mr Anushruti, Advocate,
Ms Vasundhara Nayyar, Advocate. Ms Monika
Arora, SC NDMC with Mr Harish Ahuja,
Advocate for R3.
Mr Satyakam, ASC for GNCTD with Mr Akshay
Agarwal, Advocate for R4 (Dy. C.P. of Rohini).

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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22.09.2017

CM 35067/2017

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

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3. The petitioner has filed the present petition, *inter alia*, praying that respondent be directed to treat at par all religious structures situated in various parks in the vicinity of Metro Vihar, Holambi Kalan, Delhi and further not to single out and demolish/remove Bilal Masjid alone.
4. It is the petitioner's case that the parks and open spaces at Metro

Vihar, Phase-I and Phase-II, Holambi Kalan, Delhi had been encroached upon by raising certain religious structures including the Masjid, known as Bilal Masjid, in one of the parks. The said structure admittedly being illegal is now subject to a demolition action being carried out by North Delhi Municipal Corporation (NDMC). The petitioner has approached this Court feeling aggrieved that the said Masjid is being singled out for demolition and no action is being taken against other religious structures.

5. Ms Mini Pushkarna, learned counsel appearing for DUSIB (which is the land owning agency) and Ms Nayyar, learned counsel for NDMC point out that there are encroachments on public places, where other religious structures have also been raised and action is also being carried out for removal of those structures as well. They have also drawn the attention of this Court to a letter dated 02.12.2015 sent by NDMC to DUSIB indicating the encroachment and the religious structures on the public land at Metro Vihar, Phase-I and Phase-II, Holambi Kalan, Delhi. It is also pointed out that the demolition action was planned on 19.09.2017 but could not be effected because of lack of police force. The police authorities are directed to cooperate and provide necessary force to the DUSIB/NDMC to carry out the necessary action.

6. In view of this statement, the apprehension expressed by the petitioner that only one religious structure is being targeted is wholly unfounded. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

SEPTEMBER 22, 2017

pkv