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

+ W.P.(C) 9676/2017 & CM Appln. No.39403/2017

YUVA EKTA KALYAN SAMITI

..... Petitioner

Through: Mr. M.M. Singh with Mr. Prashant
Kumar, Advocates

versus

GOVT. NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Naushad Ahmad Khan, ASC
GNCTD with Ms. Runjhun Naudiyal,
Advocate for GNCTD.
SI Naveen, PS Kanjhawala

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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01.11.2017

CM No. 39403/2017

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

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3. The petitioner claims to be a society registered under the Societies Registration Act, 1860 and claims to be working for the welfare of the fellow villagers. The present petition is in the nature of a PIL and the petitioner has no private interest in the land in question.

4. The petitioner alleges that there is an illegal encroachment on public land. Mr Naushad Ahmad Khan, the learned counsel for the respondents has also drawn the attention of this Court to an order dated 19.07.2017 passed by the Public Grievance Commission, Government of NCT of Delhi issuing certain directions to the BDO (North West). The said direction is set out below:

“The BDO (North West) is directed to fence / construct boundary wall between Harijan Basti and cremation ground to prevent encroachment immediately and the gram sabha land under use for cremation may be fenced or covered with boundary wall by leaving 20 ft. passage approaching the field. i.e. agricultural land from village.”

5. In view of the above, the concerned BDO is directed to take necessary action in accordance with law. The respondents shall take note of the aforesaid complaint and take such action as may be warranted.

6. In the event, petitioner wants to pursue this cause in public interest, the petitioner is at liberty to file an appropriate petition in accordance with the procedure specified for filing Public Interest Litigations.

7. The petition is disposed of.

VIBHU BAKHRU, J

NOVEMBER 01, 2017
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