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

+ W.P.(C) 1066/2018

MAHARAJA AGRASEN HOSPITAL

..... Petitioner

Through: Mr. Alok Kr. Aggarwal, Mr. Dhruv
Gandhi and Ms. Rati Tandon, Advs.

versus

DELHI POLICE THROUGH: ITS JOINT COMMISSIONER
(TRAFFIC) & ORS

..... Respondents

Through: Mr. Gautam Narayan, ASC with
Mr. R.A. Iyer and Ms. Mahamaya
Chatterjee, Advs. with Mr. Jai Singh,
Traffic Police.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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05.02.2018

The present petition has been filed by the petitioner with the following prayers:

“Therefore, on the facts and in the circumstances of the case, it is most humbly and respectfully prayed that this Hon’ble Court may graciously be pleased to issue writ of mandamus or any other appropriate writ, order or direction in the like nature, directing:

a. Respondent Authorities to strictly implement Notification N. 6301-6450 TE (D-11) dated 10/10/2007 so as ensure minimal traffic congestion in the service lane and smooth flow of traffic in and out of the Hospital.

b. Respondent Authorities to ensure that the Road No. 35, (Service Road) in front of Maharaja Agrasen Hospital, Rohtak Road, Punjabi Bagh, Delhi from 'T' point Road NO. 43 to 'T' point Sardar Mahonar Singh Marg is maintained as a 'One Way Road' in terms of Notification NO. 6301-6450 TE (D-11) dated 10/10/2007.

c. Respondent Authorities be directed to have strict implementation of Silence Zone Order dated 18.08.2016, issued by the office of Deputy Commissioner of Police (Traffic) where under 100 meters radius area around the Petitioner's Hospital is marked as 'Silence Zone' and to install appropriate signage boards around the Petitioner's hospital, especially the service lane.

d. Respondent Authorities to ensure that adequate personnel are deployed around the clock to ensure that there is no violation of the Notification No. 6301-6450TE(D-11) DATD 10/10/2017 and Silence Zone Order dated 18.08.2016.

e. Issue a writ in the nature of mandamus directing the Respondent Authorities to renew / pass a fresh notification, in case so required renewing the Notification No. 6301-6450 TE(D-11) dated 10.10.2007 and contents thereof.

f. Respondent Authorities to ensure that there are no unauthorized parking of vehicles and / or vendor stalls permitted within the service lane.

g. Respondent Authorities to ensure installation of requisite signages, direction boards, traffic lights clearly marking the entry and exit points for the service land also marking the area within 100 meters radius of the petitioner's hospital as a 'Silence Zone'.

h. Pass further appropriate order or writ as may deem fit in the facts and circumstances of the case.”

In substance, it is the case of the petitioner and also contended by Mr. Alok Aggarwal, learned counsel appearing for the petitioner that despite notification that the concerned lane / road is ‘One Way’ and also a ‘Silence Zone’ the same is being violated. Mr. Gautam Narayan, learned ASC appearing for the respondents on instructions states, the concerned lane is ‘One Way’ and also a ‘Silence Zone’ and the respondent nos. 1 and 2 shall continue to maintain the said lane as ‘One Way’ and also a ‘Silence Zone’. Mr. Narayan during the course of his submissions has pointed out that the traffic police is implementing the notification and has challaned 155 vehicles including towing 100 vehicles. He also states, respondent nos. 1 and 2 to ensure more effective implementation, shall put a picket on the left side of the petitioner hospital to ensure, no traffic enters the lane from the opposite direction and breaches the ‘One Way’. Mr. Aggarwal states, petitioner shall also place its guards in the said picket to ensure traffic is regulated, if the guards are given support from the traffic police. It is made clear that the traffic police shall give all support to the guards who shall act on the advice of the traffic police.

It is made clear that respondent nos. 1 and 2 shall be bound by the submissions made by Mr. Narayan.

In view of the above, the petition stands disposed of.

V. KAMESWAR RAO, J

FEBRUARY 05, 2018/jg