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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1680/2018, CM Nos. 6916-6917/2018
NAYA SANDESH NASHA MUKTI AVAM PUNARVAS SAMITI
& ORS Petitioners

Through: Mr. Sanjay Padam Jain and
Mr. Vinay Kumar, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION & ANR
..... Respondents

Through: Mr. Ajjay Aroraa and
Mr. Kapil Dutta, Advs. for NDMC

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **23.02.2018**

CM No. 6917/2018 (for exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 1680/2018, CM No. 6916/2018

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

“It is, therefore most respectfully prayed that this Hon’ble Court may be pleased to:-

- (a) Issue appropriate writ(s) / order(s) or direction(s) thereby declaring the closure notices bearing No.DHO/NRZ/2018/792, DHO/NRZ/2018/818 and DHO/NRZ/2018/809 all dated 16.02.2018 issued to the petitioners respectively by respondent No.2 as illegal, unjustified, arbitrary and cancelled / null & void.*
- (b) Issue appropriate writ(s) / order(s) or direction(s) thereby directing the respondents and other concerned authorities not to take/initiate any coercive action in*

pursuance to the closure notice dated 16.02.2018 issued to the petitioners till final disposal of present writ'

(c) *Issue appropriate writ(s) / order(s) or direction(s) thereby passing necessary directions to respondents to make proper guidelines/ provisions to issue license/permissions to the petitioners.*

(d) *Issue appropriate writ(s) /order(s) or direction(s) thereby granting opportunity to the petitioners to get/obtain necessary permissions/license, if any from the concerned authorities with reasonable time after complying the necessary formalities, if any'*

Pass any or further order(s)/relief, which this Hon'ble Court deems fit and proper in the facts and circumstances of the case, in favour of the petitioner and against the respondent."

Mr. Ajjay Aroraa, learned counsel appearing for the NDMC states, the W.P.(C) 8217/2017 to which a reference has been made in the impugned closure notice dated February 16, 2018, was disposed of by a Division Bench of this Court vide order dated February 21, 2018. He states that in paras 7, 8 and 9 this Court has held as under:

"7. The Court is of the view that the closure notices issued by the North DMC should be treated as show-cause notices to these Applicants. The four Applicants should be given seven days time to respond to such closure notices/ SCN. In the meanwhile, if there are any further violations by these de-addiction centres, it should be brought to their notice by supplementary notices to be issued by the concerned DMCs to them, not later than two days from today.

8. The Applicants will be given a hearing and a reasoned order will thereafter be passed. In the event that the Applicants are aggrieved by such order, it will be open to them to institute appropriate proceedings in accordance

with law without having to seek impleadment in this writ petition. The Court which will hear the challenge will consider it independently of the directions issued in the present petition.

9. Learned counsel appearing for North DMC states that as many as 79 such closure notices have been issued to various de-addiction centres operating without proper authorisation. This order will equally apply to such noticees as well.”

He also states that action with regard to the petitioners shall be taken by the respondents in terms of paras 7, 8 and 9.

Noting the statement made by Mr. Ajjay Aroraa, the writ petition is disposed of directing the respondents to take action in accordance with paras 7, 8 and 9 of the order dated February 21, 2018 in W.P.(C) No. 8217/2017. In view of this order, the closure notice/SCN cannot be given effect to.

Mr. Sanjay Padam Jain, learned counsel for the petitioners state, the aforesaid shall satisfy the grievance of the petitioners at present.

The writ petition is disposed of.

CM 6916/2018 (stay)

In view of the order in the writ petition, this application has become infructuous.

V. KAMESWAR RAO, J

FEBRUARY 23, 2018/aky