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

Date of Decision: 12.09.2018

+ W.P.(C) 3814/2018

TUSHAR SAHDEV & ANR Petitioners

Through: Mr. Nikhil Pillai with
Mr. G. Gautham Gandhi, Advs.

versus

GOVERNMENT OF NCT OF DELHI AND ORS. Respondents

Through: Mr. Anuj Aggarwal, ASC with
Mr. Kanishk Rana, Adv. for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

RAJENDRA MENON, CHIEF JUSTICE (ORAL)

1. This writ petition has been filed invoking the jurisdiction of this Court under Article 226 of the Constitution of India and the prayer made in the writ petition reads as under:

“(a) Pass a Writ of Mandamus or any other appropriate writ, order, direction or guidelines to ensure that the law enforcing authorities and the Police complete their investigation and/or disciplinary proceedings against erring police officers in a systematic and time bound manner;

(b) Direct that police officers do not have any role to play in deciding or influencing title disputes and should not get involved in issues for change of possessory rights in respect of immovable property;

(c) To issue guidelines to streamline and regulate the processes followed by the Respondents in dealing with issues in prayers A and B;

(d) Pass such other and further orders/guidelines as are deemed fit and appropriate in the interest of justice.”

2. On a perusal of the material available on record, it is seen that there is a family dispute between the parties concerned. It is a private dispute and complaints, counter complaints and criminal cases are pending in the matter. Now, petitioner wants *mandamus* to be issued for laying down guidelines for taking action for investigation and disciplinary action and various other regulatory measures to be brought into force in the form of guidelines.

3. We are informed by the respondents that already guidelines to the law enforcing agency and to the Police and the procedure for taking disciplinary action are in place. That being so, in this petition where *inter se* dispute between the parties is already pending consideration between various Courts and forums, we are not inclined to interfere into the matter and lay down any guidelines or regulatory measures exercising our extraordinary jurisdiction under Article 226 of the Constitution of India.

4. The petition is, therefore, dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

SEPTEMBER 12, 2018

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