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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
14, 15 and 16

+ **W.P.(C) 6795/2014 and CMs 8735/2016, 13838/2017, 9287/2018**
and 53689/2018

DARGAH SHAIKH KALIMULLAH & ORS. Petitioners

Through: Mr Rakesh Tikku, Senior Advocate
with Mr Gaurav Kohli, Advocates.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS Respondents

Through: Mr Amit Andlay, Advocate for R-3.
Ms Meera Bhatia, Advocate for UOI.
Mr Sanjay Kumar Pathak, Advocate
for Delhi Urban Art Commission /R-
6.
Mr Akhil Mittal, Addl. Standing
Counsel for NDMC/R-2.
Mr Anuj Aggarwal, ASC for GNCTD
with Mr Rao Abdul Ahad Khan,
Advocates for R-1.
Mr N.A. Khan, ASC for GNCTD.
Ms Mini Pushkarna, Standing
Counsel for North DMC with Ms
Swagata, Advocates.

+ **W.P.(C) 5707/2018 & CM 22168/2018**

MOHAMMAD NASIR AND ORS. Petitioners

Through: Mr Mobin Akhtar, Advocate.

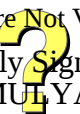
versus

GOVT. OF NCT OF DELHI AND ORS. Respondents

Through: Ms Meera Bhatia, Advocate for UOI.
Mr Arjun Pant, Advocate for DDA.
Mr Sanjay Kumar Pathak, Advocate

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By:AMULYA  **W.P.(C) 6795/2014 & connected matters.**

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for Delhi Urban Art Commission /R-6.

Mr Vinod Diwakar, CGSC for UOI
with Mr Misha P. Nadhu, Advocate.
Mr N.A. Khan, ASC for GNCTD.

+ **W.P.(C) 5251/2018 & CM 21332/2018**

DARGAH SHEIKH KALIMULLAH SAHIB

THROUGH: ITS MUTAWALLI

..... Petitioner

Through: Mr Rakesh Tikku, Senior Advocate
with Mr Gaurav Kohli, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Ms Meera Bhatia, Advocate for UOI.
Mr Sanjay Kumar Pathak, Advocate
for Delhi Urban Art Commission /R-6.

Mr N.A. Khan, ASC for GNCTD.

Mr Wajeeh Shafiq, Standing Counsel
for Delhi Wakf Board with Ms
Akanksha Raha and Ms Sabika
Ahmad, Advocates for R-2.

Ms Mini Pushkarna, Standing
Counsel for North DMC with Ms
Swagata, Advocates.

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

19.12.2018

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1. At the 29th meeting of the Board of Directors of the Shahjahanabad Redevelopment Corporation ('SRDC'), the following decision was taken in

relation to the redevelopment of the Jama Masjid Precinct Project:

“The Managing Director, SRDC apprised the Board about the previous directions of Hon'ble High Court in Writ Petition No. 6795/2014 titled as "Dargah Shaikh Kalimullah & Ors. Vs North Delhi Municipal Corporation & Ors." and' directions thereof to District Magistrate (Central) to conduct stakeholder consultation. The Board was also apprised about the directions dated 12th November, 2018 of Hon'ble High Court that a final decision must be taken by the SRDC and a copy thereof placed before the Court on the next date of hearing (i.e. 19th December, 2018). The Board has taken cognizance of report regarding "Stakeholder's Consultation on Detailed Project Report- (DPR) of Jama Masjid Precinct" conducted by District Magistrate (Central). The Board-agreed to conclusion of said report wherein it is mentioned that relocation/shifting of Meena Bazar and Dargah Sheikh Kalimullah Market to the proposed piece of land is not advisable. The Board also agreed that the proposed heritage park near parade ground parking shall be utilized as per MPD-2021 and construction activity on it shall be contrary to the provisions of the Ancient Monument and Archaeological Sites and Remains act 1958 being restrained under the policy of National Monument Authority. The Board appreciated the DPR of Jama Masjid Precinct prepared by M/s Pradeep Sachdeva Design Associates (PSDA), but it noted that same cannot be" accepted considering it not being favoured by various stakeholders including DDA, ASI, shopkeepers of Meena Bazar, Delhi Waqf Board etc. After detailed discussion, the Board

"RESOLVED THAT Engineer-in-Chief shall ask M/s RSDA to revise the DPR (along with detail estimates) for Jama Masjid Precinct Redevelopment Project within two weeks and submit the same along with the proposal for in-situ infrastructure improvement of Meena Bazar and Dargah Sheikh Kallimullah Market to Chairman SRDC/Hon'ble Minister for Urban Development/PWD within one week thereafter."

2. In view of the above decision, the Consultants i.e. M/s Pradeep Sachdeva Designs Associates ('PSDA') have to come up now with a revised detailed project report ('DPR') along with revised detailed estimates. In order that the momentum should not be lost, this Court issues the following directions:

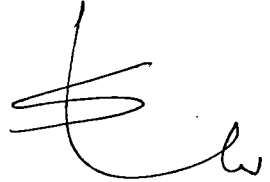
- (i) M/s PSDA will submit their revised DPR to the SRDC by 28th February, 2019.
- (ii) Within a period of six weeks thereafter, the District Magistrate (Central) will convene as many meetings as may be required of all the stakeholders, which would include the North DMC, the Archaeological Survey of India, Meena Bazar Traders Association, Delhi Wakf Board, Dargah Shaikh Kalimullah Market Association, the Delhi Urban Art Commission, the Delhi Development Authority, the L&DO and any other authority including the Delhi Jal Board which will have a say in the implementation of such revised DPR.
- (iii) The final decision on the revised DPR be taken not later than 30th April, 2019.

3. A joint request has been made by all counsel that this Court should retain at least one of these matters on board for monitoring the progress of implementation of the above directions.

4. Accordingly, W.P.(C) Nos. 5707/2018 and 5251/2018 and the pending applications in those petitions are hereby disposed of. List W.P.(C) No. 6795/2014 and the pending applications for hearing on 15th May, 2019 at

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2.15 pm. The matter to be treated as part-heard.



S. MURALIDHAR, J.



SANJEEV NARULA, J.

DECEMBER 19, 2018

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