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

+ W.P.(C) 7780/2018

PREM CHAND

..... Petitioner

Through: Mr Yogesh Verma and Mr Pawan  
Kumar, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms Shubhra Parashar, Advocate for  
R-1 & 3.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

% **27.07.2018**

**CM No.29853/2018**

1. Allowed, subject to all just exceptions.

**W.P.(C) 7780/2018**

2. Issue notice. Learned counsel for respondent nos. 1 and 3 accepts notice.

3. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(a) Pass appropriate writ in the nature of mandamus or any other appropriate writ, order or direction, directing the respondent No.2 & 3 to either grant permission/NOC to renovate/reconstruct the property in question or

(b) Direct the Respondent No.2 and 3 to decide the representation of petitioner dated 18//04/17 at an earliest.”

4. The petitioner claims to be the owner of the property bearing no.21 (105 A), Begum Village, Malviya Nagar, New Delhi. He states that the property falls within the 100 mtrs of a protected monument named *Jahapanah*. The petitioner's grievance is that his property is in dilapidated condition and the petitioner's request to respondent nos.2 & 3 for permission to carry out repairs is not being considered.

5. The learned counsel appearing for the Archaeological Survey of India (respondent no.3) has drawn the attention of this Court to Section 20C(1) of the Ancient Monuments and Archaeological Sites and Remains Act, 1958. In terms of sub-section (1) of the said Section, any person desirous of carrying out any repair or renovation of the building, which existed in a prohibited area prior to 16.06.1992, is at liberty to make an application to the competent authority for carrying out such repair and renovation.

6. In view of the aforesaid provision, the petitioner is required to make an application to the competent authority as defined under Section 20C(1) of the said Act.

7. The petitioner is, thus, at liberty to make an appropriate application to the competent authority. It is directed that if such an application is made within a period of two weeks from today, the competent authority shall consider the same within a period of three months, thereafter.

8. The petition is disposed of with the aforesaid directions.

**VIBHU BAKHRU, J**

**JULY 27, 2018**  
**MK**