

\$~16.

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

+ LPA 398/2018 & C.M.No.29138/2018 (stay)

OKHLA INDUSTRIAL ESTATE
ASSOCIATES (REGD)

..... Appellant

Through: Mr.Mohsin Sarwar, Adv.

Versus

DELHI STATE INDUSTRIAL & INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITED
(DSIIDC) & ORS

..... Respondents

Through: Ms.Anusuya Salwan, Adv. with
Ms.Nikita Salwan, Adv. for R-1/DSIIDC.

Mr.Gautam Narayan, ASC with Ms.Mahamaya
Chatterjee, Adv. for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

02.11.2018

%

1. Seeking exception to an order dated 18th July, 2000 passed by the learned writ Court in W.P.(C) No.4731/2018 this appeal has been filed under Clause 10 of the Letters Patent. The grievance of the appellant in the writ petition was with regard to action proposed to be taken by the respondent for removal of encroachment on public land adjacent to or in front of the sheds allotted to the appellant in the industrial area. The writ Court finding that in the public land adjacent to the respective sheds or the factories, the encroachment can be removed, dismissed the writ petition.

2. From the order passed in the appeal, we find that while hearing this matter on 7th August, 2018, a statement was made by the learned counsel for the respondent that the entire encroachment in the public land has been demolished and the possession of the said land has been taken over by the competent authority. When such statement of the learned counsel for the respondent was recorded, learned counsel for the petitioner sought time to obtain instructions. Today again, he prays for time to seek instructions in the matter.

3. We are of the considered view that once the encroachment on the public land was found and it is now clear from the statement made by the learned counsel for the respondent that all such encroachment has been removed and possession of the land has been taken by the competent authority, no further indulgence into the matter is called for by this Court.

4. The appeal is accordingly disposed of. The pending application is also disposed of.

CHIEF JUSTICE

V. KAMESWAR RAO, J

NOVEMBER 02, 2018

'anb'