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

+ W.P.(C) 4765/2017 and CM APPL. 20686/2017

SURYA DEV JI MAHARAJ

..... Petitioner

Through: None.

versus

COMMISSIONER OF POLICE AND ORS

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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30.01.2018

1) There is no representation on behalf of the petitioner. The record shows that on 26.5.2017 when the petition came up for hearing before this Court for the very first time, the following was recorded:

“1. The petitioner, by the present petition, inter alia, seeks a direction to respondent Nos.2 and 3 to provide appropriate safety and security for protecting the life and property of the petitioner against the threat from respondent Nos.4 and 5. The petitioner also seeks a direction to respondent Nos.1 to 3 to ensure that the peaceful possession of the petitioner is not disturbed in the property by the respondent Nos.4 and 5.

2. Learned counsel for the petitioner submits that the petitioner is an owner of the property i.e. Sant Sewa Ashram, Old Shiv Mandir, measuring 750 sq. yards out of Khasra No.7, Mustatil No.57, Block - G, Sector 15, Rohini.

3. It is submitted that the petitioner became an owner of the said property by virtue of a Will executed by Baba Babu Lai Das dated 23.11.1993.

4. Learned counsel for the petitioner submits that the petitioner has also obtained a Letter of Administration of the Will. It is contended that the petitioner is in possession of the said property and is running an ashram from the said property.

5. It is contended that the respondents No. 4 and 5 had filed a suit for permanent injunction and declaration. The said suit has been dismissed as withdrawn on 06.12.2016.

6. Learned counsel for the petitioner submits that despite the petitioner being an owner in possession of the property for several years, the respondent Nos.4 and 5 are threatening to interfere in the peaceful possession of the petitioner and the respondent Nos.1 to 3 are failing to take any action on the complaint lodged by the petitioner.

7. Issue notice to the respondents, returnable on 26.09.2017.

8. Till the next date of hearing, the respondent Nos.1 to 3 shall ensure that the respondent Nos.4 and 5 do not interfere in the peaceful possession of the property of the petitioner.”

2) The aforesaid observations of this Court sum up the grievance of the petitioner.

2.1) Counsel for the respondents says that no formal complaint has been filed by the petitioner qua respondent No. 4 and 5 with whom he seems to have a dispute.

3) In these circumstances, the Writ Petition is disposed of with liberty to the petitioner to file a formal complaint with respondent No. 1 to 3, if the same is not already done. In case a complaint is received, respondent No. 1 to 3 will ensure that the same is actioned. In case the petitioner still has a grievance against respondent No. 1 to 3 with regard to the manner in which his complaint is dealt with he would take recourse to an appropriate

remedy as provided in law.

4) The Writ Petition along with pending application is disposed of in the aforesaid terms. A copy of this order will be dispatched by the registry to the petitioner.

RAJIV SHAKDHER, J

JANUARY 30, 2018

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