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

+ **W.P.(C) 4264/2017**

RAJENDER AGGARWAL

..... Petitioner

Through: Petitioner in person.
versus

EAST DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through: Mr. Pravesh Thakur, Adv. for EDMC
with Mr. Praveen Kumar
(J.E./EDMC)

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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15.03.2018

The present petition has been filed by the petitioner with the following prayers:

“It is, therefore, most respectfully prayed that this Hon’ble Court may be pleased to issue:-

- i) writ, order or direction in the nature of mandamus directing the respondents to discharge their statutory duties and obligations enshrined under the Delhi Municipal Corporation Act as well as Delhi Police Act and to stop the unauthorised and illegal repair work of vehicles at C Block DDA Market Dilshad Garden, Delhi-110095, which is causing air and noise pollution in Dilshad Garden, a residential colony, and further remove the illegal and unauthorized encroachment on the public land; and*
- ii) further issuance of any other appropriate writ, order or direction as are deemed fit and proper in the facts and circumstances of the case and to meet the ends of justice.”*

A latest status report has been filed in the court and the same has been taken on record and the same reads as under:

“As per the directions of Hon’ble High Court of Delhi dated 17.5.2017 a joint inspection on 19.05.2017 was carried out in presence of petitioner Sh. Rajender Kumar Aggarwal along with Sh. Girish Prakash A.E. EDMC, Sh. Kapil Sharma, L.I. EDMC and Sh. Sattan ASI Delhi Police. During the inspection it was found that there existed no encroachment around the C-Block, Dilshad Garden market. A letter to area SHO has been written vide No. EE-[M.Shah.(N)]-I/2017-18/D-366 dated 25.05.2017 to keep the area encroachment free. As regard installation of the camera around the area a request has been sent to the E.E. electrical EDMC for taking necessary action vide no. EE-[M.Shah.(N)]-I/2017-18/D-365 dated 25.05.2017 enclosing the order of the Hon’ble High Court dated 17.05.2017. However a regular watch is being kept regarding encroachment in C-Block Dilshad garden Market, Delhi. Joint inspection report and photographs are attached herewith.”

Taking the stand of the respondent Nos.1 and 2 on record, it is made clear, that in future if any encroachment takes place in the area, the concerned SHO and the Executive Engineer of the concerned EDMC shall be held personally responsible. In case of any encroachment in violation of this order, liberty is also with the petitioner to file an application for revival of this writ petition.

The writ petition is disposed of.

V. KAMESWAR RAO, J

MARCH 15, 2018/aky