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

Date of Decision: 10.09.2018

+ W.P.(C) 10832/2016 & CM APPL.42484/2016, 7813/2017,
7814/2017, 22575/2017, 30741/2017

ANIL CHAMADIA AND ORS.

..... Petitioners

Through: Ms. Amiy Shukla with Ms. Shakti
Vardhan, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Through: Ms. Mansi Gupta, Adv. for R-1

Mr. Ajay Digpaul, CGSC with Ms. Madhuri

Dhingra, Adv. for R-3

Mr. Sanjay Jain, Sr. Advocate with Mr. Mandeep

Singh Vinaik, Ms. Anjali Sharma & Mr. Deepak

Bashta, Advs. for R-6

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

RAJENDRA MENON, CHIEF JUSTICE (ORAL)

1. This writ petition has been filed in public interest by the petitioners who claim to be journalists public spirited persons interested in preserving the Delhi Public Library and the prayers made in the said writ petition reads as under:

“a. Issue appropriate Writ, order or direction to quash the notices dated 15.09.2016 and 04.11.2016 issued by the North Municipal Corporation of Delhi to vacate/demolish the premises occupied by the Delhi Public Library situated at 5/56, Deshbandhu Gupta Marg, Karol Bagh, New Delhi.

- b. Issue appropriate Writ, order or direction to appoint Court Commissioners to inspect, evaluate and thereby analyse the current status and condition of the Delhi Public Library at Karol Bagh.*
- c. Issue appropriate Writ, order or direction to initiate Enquiry against the concerned officials of the North MCD and the Chairman/concerned defaulting officials of the Delhi Library Board and Delhi Public Library.*
- d. Issue appropriate Writ, order or direction to respondent no.4 to initiate proper proceedings in registering the complaint dated 04.08.16 at Desh bandhu Gupta Road police Station.*
- e. pass any other order(s) this Hon'ble Court may deem fit and appropriate in the facts and circumstances of the present case."*

2. Even though various proceedings have been undertaken and interlocutory orders have been passed, today we find that the building in question where the Delhi Public Library is situated, there are various disputes between the respondents and owners of the building with regard to the same.

3. As far as preserving the library and the books which were housed in the building in question are concerned, we are informed that the books have been removed and kept secured in a separate place to re-establish in the form of library by respondent No.2 at a different place. That being so, we grant six months' time to respondent No.2 to re-establish the library at a different place as may be convenient to public at large and make the library operational as it was prior to filing of this writ petition.

4. During the course of hearing of the matter, referring to various interlocutory orders passed in the writ petition, efforts were made to indicate certain disputes between the respondents, with regard to the building, condition of the building and the rights of various parties are sought to be

looked into, we are of the considered view that taking note of the nature of prayers made in the writ petition, the fact that it is a public interest litigation and the scope and jurisdiction of a Public Interest Litigation as laid down by the Supreme Court in the case of *State of Uttaranchal v. Balwant Singh Chaufal and Others* (2010) 3 SCC 402, the *inter se* dispute with regard to the building, its condition, ownership etc. are not to be looked into by us in the Public Interest Litigation.

5. We are satisfied that after taking note of the condition of the building, respondent No.2 having taken steps for preserving the books in question and now we having directed respondent No.2 to re-establish the library as indicated hereinabove, no further directions are issued in the matter. The *inter se* dispute between the respondents are directed to be agitated in accordance with law before an appropriate court or forum and any proceedings held in the matter shall not come in the way of the parties to the disputes.

6. We may indicate that we are not going into the *inter se* disputes between the respondents with regard to building in question and no order interim in nature passed during the course of proceedings will come in the way of any of the respondents in contesting the rival claims before an appropriate court of law in accordance with law.

7. With the above observations, the writ petition along with pending applications stands disposed of.

CHIEF JUSTICE

SEPTEMBER 10, 2018/ns

V. KAMESWAR RAO, J