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

+ **W.P.(C)12367/2018**

BHALASWA KALYAN VIKAS SAMITI Petitioners

Through: Mr.Manmohan Singh, Adv. with
Mr.Anurag Singh, Mr.Saurabh Singh Tomer,
Advs.

Versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Dhananjaya Mishra, Adv. for R-
1&2.

Mr.Abhay Prakash Sahay, CGSC for R-3.

Mr.Parvinder Chauhan, Adv. with Mr.Nitin Jain,
Adv. for R-5/DUSIB.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **19.11.2018**

C.M.No.48017/2018 (exemptions)

Allowed, subject to all just exceptions.

W.P.(C) 12367/2018

1. This public interest litigation has been filed and the prayer made in the writ petition reads as under:-

“(a) Pass an order granting monetary compensation to the evicted families for all the losses they have incurred due to the demolition, on a case-by-case basis that accounts for the full extent of various harms suffered by different members of the community;

(b) Pass an order for restitution and rehabilitation, including a consideration of in situ upgradation for the violations of the human rights to adequate housing, property, education, health, work/livelihood, food and water, considering the harm and injury experienced by individuals and families;

(c) pass an order directing the competent authorities to formulate policy and legal reforms strictly ensuring the human rights which can be safeguarded prior to, during, and after such demolition;

(d) pass an order for investigation into the human rights violations at Balaswa to be conducted by independent institutions such as the National Human Rights Commission, and officials found guilty of violence, corruption, destruction of property, extortion of funds, and other crimes against the residents, be prosecution in accordance with the law; and ”

2. The grievance of the petitioners are that certain persons were evicted from the *jhuggies* in question after it was demolished in the year 2000 and claiming benefit of rehabilitation policy, the writ petition in question has been filed now after a period of more than 17 years.

3. Taking note of the facts and circumstances of the case, now after more than two decades, we see no reason to enter into the controversy and evaluate the grievance that also in a public interest litigation at the instance of the petitioners with regard to grant of the rehabilitation package. The petition in exercise of jurisdiction of this Court under Article 226 of the Constitution in a public interest litigation, in our considered view, does not

warrant any consideration now after more than two decades. The petition is, therefore, dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

NOVEMBER 19, 2018

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