

\$~24

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

+ W.P.(C) 3349/2019

INTER-UNIVERSITY ACCELERATOR
CENTRE

..... Petitioner

Through: Mr Anupam Dwivedi, Advocate.

versus

COMMISSIONER OF POLICE, NEW DELHI
AND ANR.

..... Respondents

Through: Mr Devesh Singh, ASC (Civil),
GNCTD with Ms Sukriti Ghai and Mr
Amitabh Pandey, Advocates for R-1.
SI Hemant, PS Vasant Kunj, North
New Delhi.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **03.04.2019**

CM No. 15400/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 3349/2019

2. The petitioner has filed the present petition, *inter alia*, praying that appropriate directions be issued to respondent no.1 to provide necessary police assistance to the petitioner for eviction of the unauthorized occupant (respondent no.2) from the premises bearing flat no.II/07, IUAC, Residential Campus, New Delhi.

3. The present petition has been filed by Inter-University Accelerator Centre through its Administrative Officer (Estate). It is stated that the Estate

Officer has already passed the necessary orders under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 for evicting respondent no.2 from the premises in question. However, despite eviction orders, respondent no.2 has not vacated the premises in question. It is also stated that none of the orders passed by the Estate Officer have been challenged and the same have become final.

4. The learned counsel appearing for the petitioner has referred to Section 5(2) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 and submits that the petitioner is now entitled to use force to take possession of the public premises in question. He, however, states that the petitioner is helpless in doing so since he has been provided no assistance by the police authorities.

5. In view of the above, respondent no.1 is directed to provide the necessary assistance to enforce eviction orders in accordance with law.

6. The petition is disposed of with the aforesaid directions.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

APRIL 03, 2019

MK