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

+ **W.P.(C) 4402/2019, CM No. 19575/2019**

KOTLA VILLAGE WELFARE ASSOCIATION (REGD.)

..... Petitioner

Through: Mr. Surendra Mishra, Adv.

versus

COMMISSIONER, EDMC AND ORS.

..... Respondent

Through: Mr. G.D. Mishra, SC for R-1/EDMC
with Mr. Khusi Ram, A.E.
Mr. Mayank Bamniyal, Adv. with
Ms. Mallika Ahluwalia, Adv. for R-2
& 3 & Mr. Satish Singh, SI, PS
Mayur Vihar-I

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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26.04.2019

CM No. 19575/2019

Exemption allowed subject to all just exceptions.
Application stands disposed of.

W.P.(C) 4402/2019

1. 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 kindly be pleased to:-

a) directing thereby the respondents to ensure the opening

of the main gate entry and exists for Pocket No.2, Mayur Vihar-I Delhi i.e gate no.1 towards the Kotla, Gate No.2 towards the Police Station, Mayur Vihar-I, Delhi and Gate No.3 towards the Gurudwara, Trilokpuri, Delhi installed by the Residents Welfare Association (Regd.), Mayur Vihar-I, Delhi which is passage for the residents of Pocket no.1 and 2 and further common passage for the other residents of the locality of the area and further ensure the compliance of the policy decision made by the respondent No.1 in respect of opening of gate of the locality as per circular no. D/664/SE(P)1 dated 25.06.2007 issued by respondent no.1 in the interest of justice;

b) Pass any other order/s relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice.”

2. The prayer of the petitioner is that the main entry gate and exit for Pocket-2, Mayur Vihar-I, Delhi i.e Gate No.1 towards Kotla, Gate No.2 towards Police Station Mayur Vihar-I, Delhi and Gate No.3 towards Gurudwara Trilok Puri installed by the Residents Welfare Association (Regd.), Mayur Vihar-I, Delhi be kept open.

3. Learned counsel appearing for respondents 2 and 3 states that the gate No.1 is kept open from 9 pm to 6 am, gate Nos.2 and 3 are kept open from 8 pm to 6 am. She also states that the Welfare Association of Mayur Vihar-I, has requested the gate No.1 be kept closed permanently. She states, no

decision has been taken and any decision with regard to the said request shall be taken after consulting all the parties concerned. If that be so, the respondent No.2 shall hear the petitioner before taking a decision on the request of the Residents Welfare Association Mayur Vihar with regard to gate No.1. The learned counsel for the petitioner states, for present the grievance of the petitioner has been satisfied.

4. The writ petition is disposed of. No costs.

V. KAMESWAR RAO, J

APRIL 26, 2019/ak