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

Date of Decision: 27.11.2019

+ W.P.(C) 12522/2019

INDER S. SINGHAL & ORS. Petitioners

Through: Mr. Tarun Narang, Adv.

versus

STATE OF NCT OF DELHI & ORS. Respondents

Through: Mr. Siddarth Agarwal, Adv. for
Ms. Hetu Arora Sethi, ASC, GNCTD
for R-1, 4 & 5.

Mr. Akhil Mittal, Standing Counsel
for R-2 & 3/NDMC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

D.N. PATEL, CHIEF JUSTICE (Oral)

1. This Public Interest Litigation has been preferred with the following prayers:

“(i) to issue the writ of Mandamus or appropriate writ, order/direction to the respondents to remove the illegal encroachment in time-bound manner on public roads of Baljeet Nagar which is in the form of illegal bazaar, Reharies, squatters etc. starting from main road Patel Nagar to Baljeet Nagar and Prem Nagar along the wall Delhi Milk Scheme and the road/street between the Vir Savarkar park and Mahila Park Baljeet Nagar, Delhi.

(ii) to issue appropriate writ, order or direction to the respondents not to allow the encroachment, unauthorised

market, Reharis, Squatters, butchering on the said roads/streets in future.

(iii) To issue direction, order or writ to take action against the erring concerned officials because of whom the said illegal encroachment on public roads/ streets has taken place despite the previous directions of this Hon'ble Court to remove them.

(iv) to pass such other further order or direction which this Hon'ble Court may deem fit and proper in the given facts and circumstances of the present petition."

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that the prayer in this writ petition is about the removal of encroachment at the place which is mentioned in paragraph 2 of the writ petition.

3. Looking to the facts and circumstances of the case, we hereby direct respondents No.2 to 5 to verify the legality or otherwise of the superstructures, in accordance with law and if found illegal encroachment, remove the encroachment in accordance with law, rules, regulations and Government policy applicable to the facts of the case and after giving an adequate opportunity of being heard to the concerned parties as early as possible and practicable.

4. With these observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

NOVEMBER 27, 2019

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