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

+ **W.P.(C) 3897/2018 & CM APPL. 15385/2018**

NEEMA TAMANG & ORS

..... Petitioners

Through Mr Pranav Chaddha, Mr Nikhil Palli,
Advocates.

versus

GOVERNMENT OF NCT OF
DELHI & ORS

..... Respondents

Through Mr Sanjoy Ghose, ASC, GNCTD with
Mr Naman Jain, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **31.07.2019**

1. The petitioners have filed the present petition, *inter alia*, impugning a public notice dated 11.04.2018 thereby calling upon the persons, who have encroached upon the land located in Khasra No. 134, Nala at L-I, Gali no.3, Sangam Vihar, Deoli, New Delhi, to remove themselves within a period of three days.
2. The petitioners contend that they are owners of the said land and have been residing there for the past several years. The petitioners claim title on the land in question based on certain documents such as General Power of Attorney, Agreement to Sell, etc. The petitioners also claim that they have been provided electricity connection at their respective dwelling units and therefore, they cannot be removed.
3. It is seen that the issue involved in the present case relates to removal of encroachment from Gaon Sabha land. The learned counsel appearing for

the respondents points out that the said encroachment is being removed pursuant to the orders that have been passed by National Green Tribunal in ***Sonya Ghosh v. GNCTD: OA No. 58/2013***.

4. It is seen that another writ petition (being W.P.(C) 1086/2018) had been filed, *inter alia*, praying that directions be issued to the respondents to take immediate and effective steps for removing encroachment on Gaon Sabha land and, in particular, the encroachment on Khasra No. 134, located in village Deoli. The said petition was disposed of by this Court by an order passed today by recording the statements, made on behalf of the respondents, that action is being taken for removal of encroachment on the land in question. This Court had also noticed that the matter regarding removal of encroachment was being examined by NGT in the above captioned petition (***Sonya Ghosh v. GNCTD OA No.: 58/2013***) as well as by the Special Task Force constituted pursuant to the orders passed by the Supreme Court of India in ***MC Mehta v. Union of India & Ors.: W.P.(C) 4677/1985***.

5. In view of the above, this Court does not consider it apposite to pass any orders in the present petition. It would of course be open for the petitioners to approach the concerned authorities to establish that they have not encroached upon the public land. Needless to state that the same would be considered in accordance with law.

6. The petition is disposed of with the aforesaid directions. All pending applications are also disposed of.

VIBHU BAKHRU, J

JULY 31, 2019/pkv