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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4333/2018

TAJPUR PAHARI MARKET ASSOCIATION (WELFARE)

..... Petitioner

Through Mr.Pankaj K.Sharma, Adv.

versus

SOUTH DELHI MUNICIPAL COEPORATION AND ANR.

..... Respondent

Through Mr.A.K.Sharma, S.C.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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08.01.2019

1. Vide the present petition, the petitioner has sought the following prayers:-

“(i) Direction to the respondents to appoint Assistant Sanitary Inspector in Ward No.95S Tajpur Pahari, New Delhi.

(ii) Re-install waste carried at Ward No.95S removed by the respondents.

(iii) Transfer the Assistant Sanitary Inspector Mr.Dharam Dass working in Ward No.95S for the last eight years and to take action against Safai Karamchari namely Mr.Dharamvir.”

2. Learned counsel for the petitioner submits that the petitioner, a Market Welfare Association of Tajpur Pahari, New Delhi is aggrieved by the continued posting of Mr.Dharamvir, Safai Karamchari as also of Mr.Dharam Dass, Assistant Sanitary Inspector, both of whom have been deployed in the said market by the respondent nos.1 & 2. It is the petitioner's case that both Mr.Dharam Dass and Mr.Dharamvir do not discharge their duties properly, leading to unsanitary conditions in the market for the last many years. Learned counsel for the petitioner

states that the petitioner has made repeated complaints to the respondent nos.1 & 2 and has also served them with a legal notice dated 27.01.2018, but the same have evoked no response.

3. Learned counsel for the respondent nos.1 & 2 is unable to dispute the aforesaid position that the respondents have sent no reply either to the complaints or to the legal notice sent by the petitioner.

4. In view of the aforesaid position, learned counsel for the petitioner states that at this stage, the petitioner would be satisfied in case the respondent nos.1 & 2 are directed to decide the petitioner's complaints by passing a reasoned and speaking order within a time bound manner.

5. Learned counsel for the petitioner also points out that the name of Assistant Sanitary Inspector Dharmender mentioned in para 3 of the aforesaid legal notice is Dharam Dass and, therefore, prays that the same be read as Assistant Sanitary Inspector Dharam Dass. Learned counsel for the respondent nos.1 & 2 has no objection to the same and it is, therefore, directed that the name of Assistant Sanitary Inspector as referred to in the legal notice dated 27.01.2018 be read as Dharam Dass.

6. Accordingly, the writ petition is disposed of with a direction to the respondent nos.1 & 2 to pass a reasoned and speaking order dealing with all the contentions raised in the petitioner's legal notice dated 27.01.2018, within a period of four weeks from today. A copy of the order to be passed by the respondents would be served on the petitioner as also on his counsel.

7. Needless to say, in case, the petitioner is aggrieved by any

order passed by the respondents, it will be open for the petitioner to take legal recourse as permissible under law.

JANUARY 08, 2019/sr

REKHA PALLI, J