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

+ W.P.(C) 3462/2016 & CM APPLs. 14738/2017, 48249/2018, 48389/2018, 14713/2019, 14714/2019, 15670/2019, 15674/2019, 16048/2019 & 27619/2019

DINESH KUMAR

..... Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with
Mr. Vivek Sharma, Mr. Anshul Garg,
Mr. Nitesh Vaid & Mr. Francis
Fernandez, Advs.

versus

EAST DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through: Mr. Rajan Tyagi, Adv. with
Mr. Param Veer, Ex. Engineer for
R-1/EDMC.
Mr. Arjun Pant, Adv. for DDA.
Mr. Raghvendra Pandey with
Mr. Sanjeev Kumar Singh, Advs. for
R-5 & 6.
Mr. Yatendra Sharma, Adv. for R-7.
Mr. Avinash Trivedi, Adv. for R-8.
Mr. N.M. Popli with Mr. Shailendra
Popli, Advs. for applicant in
CM No.14713/2019.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
26.08.2019

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W.P.(C) 3462/2016

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

“(i) Issue an appropriate writ directing the respondents to remove the encroachment/illegal construction on the part of the area reserved for the PARK in the area of West Jyoti Nagar, Loni Road, Shahdara, Delhi-110032.

(ii) PASS any other order or orders as this Hon'ble Court may deem fit under the circumstances of this case.”

2. Having heard the counsel for both sides and looking to the facts and circumstances of the case, it appears that there are several allegations by this petitioner about the illegal encroachment at the property narrated in this writ petition, more particularly, at a park in West Jyoti Nagar, Loni Road, Shahdara, Delhi-110032.

3. We hereby direct the respondents No.1 to 4 to remove the illegal encroachment at a park in West Jyoti Nagar, Loni Road, Shahdara, Delhi-110032 in accordance with law, rules, regulations and Government policy applicable to the facts of the present case after giving adequate opportunity of being heard to the owners/occupants of the super structure as early as possible and practicable. If there is any stay granted by any competent authority then before removal of the encroachment, the same shall be appreciated by the respondents in accordance with law.

4. With these observations, the writ petition is disposed of.

CM APPLs. 14738/2017, 48249/2018, 48389/2018, 14713/2019, 14714/2019, 15670/2019, 15674/2019, 16048/2019 & 27619/2019

In view of the final order passed above, no further orders are required to be passed on these applications.

The same stand disposed of accordingly.

CHIEF JUSTICE

C.HARI SHANKAR, J

AUGUST 26, 2019

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