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

+ **W.P.(C) 5535/2018**

MOHD. ARIF

..... Petitioner

Through: None.

versus

GOVT. OF NCT, DELHI AND ORS.

..... Respondents

Through: Ms. Tara Narula & Ms. Aparajita Sen,
Advocates for R-1, 2, 5 & 6.

Mr. Hashmat Nabi, ASC with Ms. Farah
Naaz, Advocate for R-3.

Mr. Mukesh Gupta, SC with Mr. Shashi
Gupta, Advocate for R-4/SDMC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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27.11.2019

1. When the matter is called out, nobody appears on behalf of the petitioner.
2. The present petition has been preferred with the following prayer:
 - (a) *allow the present Writ Petition (Civil) and direct the respondents to stop, seal and demolish the unauthorized and illegal construction of the multi-story building going on at the site of illegally grabbed major part of Medieval Age Masjid which is under the Wakf Board bearing Khasra No. 1151/3, situated at T-12, Ward No.8, Opp. Masjid Makhdoom Shah Colony, Mehrauli, New Delhi-30, by issuing the writ of mandamus or any other appropriate writs in the above captioned writ petition, from this Hon'ble High Court."*

3. Learned counsel appearing for respondent No.3/Delhi Wakf Board submitted that under Section 54 of Delhi Wakf Board Act, 1995, notices have been issued to the encroachers for eviction from premises in question. For several properties, eviction orders have already been passed. Two matters concerning eviction from the premises in question are also pending before the Wakf Tribunal. Thus, respondent No.3, who is the owner of the land, has already initiated action for eviction of the illegal occupiers from the premises as narrated in the memo of the writ petition.

4. Learned counsel appearing for respondent Nos.1, 2, 5 and 6 submitted that the multi-storey building for which demolition is prayed for, is already sealed by Sub-Divisional Magistrate, Mehrauli/respondent No.2.

5. Thus, the respondents have already initiated actions against the illegal constructions initially by issuing eviction notices/orders for evicting the premises in question, sealing the premises in question and they are also going to take further steps in accordance with law. In view of these facts, we see no reason to further monitor this case.

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

CHIEF JUSTICE

C.HARI SHANKAR, J.

NOVEMBER 27, 2019
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