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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 11.10.2019

+ **W.P.(C) 7025/2018 & CM No.26631/2018**

NISHA GARG AND ORS. Petitioners

Through: None.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD
AND ORS. Respondents

Through: Ms.Mini Pushkarna, Adv. with
Ms.Swagata Bhuyan, Adv. &
Ms.Shiva Pandey, Adv. for
R-1.
Mr.Naushad Ahmed Khan,
Adv. for GNCTD.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MS. JUSTICE REKHA PALLI

D.N. Patel, Chief Justice (Oral)

1. When the matter is called out, nobody appears on behalf of the petitioners.
2. This public interest litigation has been preferred with the following prayers:-

“(A) Issue a writ of mandamus or any other writ directing the respondents to ensure that the poor homeless persons as detailed in paragraph 11 of the present petition are provided immediate protection and shelter at Homeless Shelter namely Ashray Grih Aiwam Gatividhi Kendra, DUSIB, Government of

National Capital of Delhi at Motia Khan, Near Jhandewalan, New Delhi, and

(B) In the alternative Issue a writ of mandamus or any other writ directing the respondents to ensure that the poor homeless persons as detailed in paragraph 11 of the present petition are provided immediate protection and shelter at any Homeless Shelter in the near vicinity.

(C) Pass an order directing the Department of women and child development for the proper arrangement for widow Ms. Kavita and dependent child of Ms. Kavita.

(D) Pass an order directing the Delhi Urban Shelter Improvement Board and Department of women and child development for the proper medication and care of Ms. Arti who is dumb and deaf and also do make an arrangement for Ms. sojaya Bai as she is helpless.

(E) Pass any such directions or order which this Hon'ble court deems fit and proper in the facts and circumstances of the above mentioned case.”

3. Having heard counsel for the respondents and looking to the counter affidavit filed by the respondents, it appears that health services have already been provided at Rehabilitation Centre and homeless persons have been provided shelter also. Hence, the grievances ventilated in para-11 of this writ petition have been redressed.

4. Looking to the affidavit filed by the respondent no.2, in paragraph No.2, it has been mentioned as under:-

“2. It is most respectfully submitted that the department is running two financial Schemes namely:

1. Delhi Pension Scheme to women in Distress (earlier the name of the Scheme was known as "Widow Pension").

2. Financial Assistance to poor Widows for performing the marriage of their daughters and orphan Girls (earlier the name of the Scheme was known as Widow's Daughter Marriage (WDM)).”

5. Thus, in view of the aforesaid pleadings, there are schemes for pension for women in distress and also for the marriage of the daughters of women in distress. Counsel appearing for respondent no.2 submitted that for the month of July & August, 2019, Rs.2,500/- for each month have already been deposited (Rs.5,000/- for two months) in the accounts of the women in distress and for the month of September, the same will be deposited at the earliest.

6. In view of the aforesaid submission and looking to the counter affidavit filed by the respondent No.2 and also looking to the fact that at Rehabilitation Centre, the persons whose names are mentioned in para 11 of this writ petition, have been given shelter and health services as submitted by the counsel for the respondent No.2 and as per the two schemes floated by the respondents, the amount is also being paid to the women in distress, we see no reason to further monitor such cases. Nevertheless, it is directed that respondents shall continue to provide shelter to the homeless especially whose names are referred to in paragraph 11 of this petition. They will also continue to provide health service and amount under the Pension and financial assistance Scheme which are referred to

hereinabove.

7. With these observations, this writ petition is disposed of along with pending application.

(D.N. PATEL)
CHIEF JUSTICE

(REKHA PALLI)
JUDGE

OCTOBER 11, 2019/aa

