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

+ **W.P.(C) 4986/2017 & CM APPL.21516/2017**

PRAKASH CHAND

..... Petitioner

Through: Ms. Manishi H. Bisht, Adv. for
Ms.Suman Chauhan, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through: Mr. Sunil Goel, Standing Counsel
with Ms. Supreet Bimbora & Mr. Mayank Goel,
Advs. for R-1/NDMC
Ms. Beenashaw N. Soni, ASC for R-3
Ms. Shobhana Takiar & Ms. Shweta Anand, Advs.
for DDA
Mr. Sanjoy Ghose, ASC with Ms. Urvi Mohan &
Mr. Naman, Advs. for GNCTD
Mr. Parvinder Chauhan, Adv. for DUSIB
Mrs. Suparna Srivastava, CGSC with Mr. Tushar
Mathur, Adv. for R-5

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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08.07.2019

This writ petition has been preferred with the following prayers:

“(i) Issue a writ, order or direction in the nature of certiorari thereby calling the records of the respondents pertaining to the present case;

- (ii) Issue a writ, order or direction in the nature of mandamus thereby directing the Respondents to free the public land from all the illegal and unauthorized occupation of the unscrupulous persons;*
- (iii) Issue a writ, order or direction in the nature of mandamus thereby directing the Respondents to remove the illegal construction which have, been carried out on the said Land;*
- (iv) Issue a writ, order or direction in the nature of mandamus thereby directing the Respondents to stop the people from carrying out any social and religious activity from the said Land;*
- (v) Any other or further writ, order or direction which this Hon'ble Court deem fit and proper in the facts and circumstances of the present case may kindly be also passed in favour of the Petitioners.*

Having heard both the sides and looking to the facts and circumstances of the case, it appears that there are allegations of illegal constructions at H-Block, Shakur Basti, Delhi.

Keeping in view the facts of the case, it appears that whether the construction is legal or illegal can very nicely be decided by the respondents if at all they have constituted any religious committee or any competent authority for the said purposes. We hereby direct such religious committee or competent authority, if at all it is specifically constituted to decide the legality or otherwise of the constructions and if at all it is illegal, the necessary steps shall be taken by the respondents in accordance with law, after giving adequate opportunity of being heard to the encroachers/offenders.

With the aforesaid observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 08, 2019
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