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

Date of decision: 28th February, 2020

+ W.P.(C) 6275/2015, CM Appl. Nos. 44632/2019 (stay), 44633/2019 (for condonation of delay of 5 days in filing review), 8167/2020 (impleadment), Review Petition no. 420/2019

DELHI WAQF BOARD Petitioner
Through: Mr.Tariq Adeeb, Adv.

versus

PRINCIPAL SECRETARY,
REVENUE AND ORS. Respondents
Through: Mr. Naushad Ahmed Khan, ASC
(Civil) for GNCTD
Mr. Rakesh Chander Agrawal and Mr.
Amar Nath, Advs. for applicant in
Review Petition

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
% **28.02.2020**

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM Appl. No. 44633/2019 (for condonation of delay of 5 days in filing review)

1. Having heard counsel for both the sides and looking to the reasons stated in this application, there are reasonable reasons for condonation of delay of five days in preferring the Review Petition. We, therefore, condone the delay in preferring the Review Petition. This application is allowed and disposed of.

Review Petition no. 420/2019 in W.P.(C) 6275/2015

1. This Review Petition has been preferred for reviewing the order dated 27th August, 2019, whereby the writ petition was finally disposed of, inter alia, observing in para 6 of the writ petition, which reads as under:

“6. We also direct Respondent Nos. 2 to 18 act in accordance with law, rules, regulations and Government policies as applicable to the facts of the case, while processing the eviction and in handing over of the property to the owner(s) of the property.”

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that the grievance ventilated in this Review Petition is that the Waqf Board, without giving any opportunity of being heard to the applicants, affixed a notice in the month of October, 2019 for sealing and demolition of their property. It is submitted by the counsel for the applicants that the aforesaid action of the Waqf Board is in violation of directions given by this Court in the order dated 27th August, 2019 in WP(C) No. 6275/2015; hence, this Review Petition has been preferred.

3. It appears that there is no error in the order dated 27th August, 2019 passed by this Court in WP(C) No. 6275/2015, much less than any, *prima facie*, error or error apparent on the face of the record.

4. What has argued by the counsel for the applicants, is about the so-called violation of the order of this Court by the Waqf Board, especially of paragraph 6 of the order dated 27th August, 2019 in WP(C) No. 6275/2015, for which applicants can file a contempt petition or can file a separate writ petition against the so-called affixation of notice by the Waqf Board.

Neither any writ petition nor any contempt petition has been preferred by the applicants so far.

5. In view of the above, we are of the considered view that Review Petition cannot be preferred by these applicants as no error could be pointed out by the counsel for the applicants in the order dated 27th August, 2019. Even otherwise, looking to the order dated 27th August, 2019 in WP(C) No. 6275/2015, we find no error apparent on the face of record. Hence, there is no substance in this Review Petition and the same is, therefore, dismissed.

CM Appl. Nos. 44632/2019 (stay) and 8167/2020 (impleadment)

In view of the order passed in the Review Petition, these applications stand disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J.

FEBRUARY 28, 2020

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