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

+ **W.P.(C) 6847/2017 & CM APPL.28506/2017**

MISS NAVYA SINGH Petitioner

Through: None

versus

LT GOVERNOR NCT OF DELHI AND ANR Respondents

Through: Mr. Arun Birbal & Mr. Sanjay Singh,
Advs. for DDA/R-2

Mr. Akhil Mittal, Standing Counsel for North
DMC

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **11.03.2019**

None appears on behalf of petitioner even after the second pass over.

In pursuance to the order passed by this Court on 08.12.2017 which reads as under, the respondent No.2 has filed its affidavit on 19.03.2018:

- “1. Respondent no.3 – North Delhi Municipal Corporation has filed the counter affidavit.*
- 2. It is submitted by Mr. Sanjeev Sabharwal, Id. Standing Counsel for the Delhi Development Authority that he has filed the counter affidavit on behalf of respondent No.2 only yesterday, which is not on record. Respondent no.1 has not filed the counter affidavit.*
- 3. Let the counter affidavit on behalf of respondent no.1 be filed within six weeks from today. The petitioner is permitted to file rejoinders to the counter affidavits, if any, before the next date of hearing.*

*4. Respondent no.2 shall ensure that any damage, which has been caused to the park in question, is rectified and the park is restored to its original position.
List on 20th March, 2018.”*

In para 4 of the affidavit filed by respondent No.2 the following observations are made:

“It is most respectfully submitted that in compliance of the aforementioned order dated 08.12.2017, the answering respondent restored the park to its original position and removed the building material at site. The said compliance had been complete in toto by the answering respondent.”

Even though the petitioner has taken time to file rejoinder to the counter affidavits filed by respondents No.2 and 3, nothing has been filed in rebuttal.

Similar report has been filed by the North Delhi Municipal Corporation – respondent No.3 which confirms the status of the park in question.

Being satisfied with the report of the DDA and North Delhi Municipal Corporation, we dispose of the matter as nothing survives for further indulgence.

In view of the aforesaid observation, the writ petition stands disposed of.

CHIEF JUSTICE

ANUP JAIRAM BHAMBHANI, J

MARCH 11, 2019

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