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

Date of decision: 13th November, 2019

+ W.P.(C) 11419/2018

DR. SUBHASH VIJAYRAN Petitioner

Through: Petitioner in person

versus

GOVERNMENT OF NCT OF DELHI Respondent

Through: Mr. Rishikesh Kumar, ASC with
Mr. Premsagar Pal, Advs. for R-1 and 4

Mr. Arjun Pant, Adv. for R-2/DDA

Mr. Kabir Ghosh, Adv. for R-3

Mr. Shantwanu Singh, Adv. for RWA-Pocket 1,
Sector 34, Rohini

SI Ranbir Singh from PS Nangloi

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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13.11.2019

D.N. PATEL, CHIEF JUSTICE (ORAL)

W.P.(C) 11419/2018

1. This Public Interest Litigation has been preferred with the following prayers :

“(1) Direct removal of the two illegal encroachments of religious nature on public roads along with the trees planted around them blocking the public roads as detailed

in Para-10, Sub-Paras (3), (4) & (5) of this petition (Pages-11 & 12).

(2) Pass any other or further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice and to meet the ends of justice."

2. Learned counsel appearing for the Respondent No.2 submits that the Hon'ble Lt. Governor, Delhi has already constituted a Religious Affairs Committee to deal with unauthorized religious structures on public land in Delhi, hence this petition be sent to the aforesaid Committee, constituted for the very same purpose so that the said Committee could examine the grievances ventilated in this petition, as the nature of the constructions, of which the petitioner seeks demolition, are religious structures.

3. In this writ petition, the prayer of the petitioner is for removal of some religious structures on public land, which are allegedly unauthorised in nature, as narrated in the memo of this writ petition. The legality or otherwise of the alleged illegal constructions is required to be verified by the aforesaid Religious Affairs Committee.

4. In view of the submission of the counsel for the respondent No.2/DDA and looking to the prayer of the petitioner, we deem it appropriate to direct the Religious Affairs Committee to treat this writ petition as a representation and take a decision in accordance with law, rules, regulations and Government policy applicable to the facts of the case, after giving a reasonable opportunity of being heard to the

owner/occupiers of the said structure. The Religious Affairs Committee shall decide the representation as early as possible and practicable.

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

CHIEF JUSTICE

C.HARI SHANKAR, J.

NOVEMBER 13, 2019/kr

