

\$~A-14

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

+ W.P.(C) 137/2020 and CM Nos. 383-384/2020

SMT. KAMLESH CHAUHAN AND ORS. Petitioners

Through Mr.Alok Kumar, Mr. Abhishek
Parothi, Mr. Sachin Kumar and Ms.Manisha
Aggarwal, Advs.

versus

EAST DELHI MUNICIPAL
CORPORATION AND ANR.

..... Respondents

Through Mr.Kumar Vikram, Adv. for R-1.
Mr.Kaustubh Anshuraj, Mr.Pankaj Mehta and
Mr.Harshit Agarwal, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

08.01.2020

1. This writ petition is filed by the petitioners seeking an order to restrain the respondent from demolishing or taking possession of any property not belonging to the Government in Phase-II portion of the Karawal Nagar Road without any acquisition of the land except in accordance with law.

2. The grievance of the petitioners is that for road widening purpose, the respondent are carrying out demolitions. It is apprehended based on the threats given by the officers of the respondent that the properties of the petitioners may also be demolished for the said purpose. It is stated that the petitioners are lawfully occupying the property inasmuch as petitioners No. 1 to 9 are the owners whereas the members of petitioner No. 10-Association are in lawful occupation.

3. Learned counsel for the respondent on instructions states that the respondent will abide by the order of this court dated 03.07.2006 passed in W.P.(C) 10478/2006 titled as “Karawal Nagar Road Market Welfare vs. MCD”.. He states that for the time being petitioners No. 1 to 9 are not part of the list prepared by the respondent who are allegedly in unauthorised occupation. He states that in case any demolition is proposed of the properties of petitioners No. 1 to 9, minimum 48 hours notice would be served on the said petitioners.

4. As far as the other alleged occupants are concerned, details of the same not available on record. Liberty is granted to the petitioners to file a appropriate writ petition with full details about the said persons.

5. With the above, the petition stands disposed of. Pending applications also stand disposed of.

6. A copy of this order be given dasti under the signatures of the Court Master.

JAYANT NATH, J

JANUARY 08, 2020
rb