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

+ W.P.(C) 1765/2020

LALA RAM

..... Petitioner

Through: Mr. N.K. Sahoo, Advocate.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR Respondents

Through: Proxy counsel for Mr. Sri Harsha

Peechara, Standing Counsel, NDMC

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **05.03.2020**

W.P.(C) 1765/2020 and C.M. No. 6148/2020 (stay)

1. The present petition has been filed by the petitioner stating *inter alia* that he has been wrongly singled out by the respondent/NDMC for squatting at LIC Gate No.2, Near Police Barricade, Janpath Lane, Bank of Baroda, New Delhi from amongst 82 persons found during a survey conducted on 14.6.2016. Therefore, he should be permitted to continue squatting at the said site on the principle of “last come first go”.

2. In the first instance, no such principle can be invoked in cases of squatting. Even otherwise, learned counsel for the respondent/NDMC states that she has received instructions to the effect that all the 82 persons who were squatting in the aforesaid lane, were removed by the respondent/NDMC as they were found to be obstructing the pavement.

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3. A copy of the order dated 18.5.2016 passed in **LPA 136/2016** Bhola Ram Patel vs. NDMC & Anr., has been handed over wherein directions were issued to remove those squatters, who were found to be obstructing pathways/roads. It is submitted that it was in compliance of the said order, that all the 82 persons including the petitioner herein, were removed from the site. Later on, in the year 2016-2017, 68 persons out of 82 persons, who were removed from the site, had filed individual petitions for being relocated and on the basis of different orders passed by the court, they were relocated on a temporary basis at other sites. A list of 68 unauthorized squatters from out of 82 persons, who were removed from the captioned site and were issued temporary permissions, is handed over by learned counsel for the respondent/NDMC with a copy furnished to counsel for the petitioner. The said documents are taken on record.

4. Learned counsel for the respondent/NDMC states that the petitioner did not elect to seek any legal recourse against his removal at the relevant time and he has not been squatting at the site since the year 2016 and that temporary permission was issued by the NDMC only on the basis of the orders passed by the court.

5. In view of the submission made hereinabove, we decline to entertain the present petition, which is accordingly dismissed along with the pending application.

HIMA KOHLI, J

ASHA MENON, J

MARCH 05, 2020/ap
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