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

% Date of Decision: 13th October, 2020

+ W.P.(C) 7879/2020

DILSHAD SIDDIQUE Petitioner

Through: Mr. Javed Ahmed, Advocate

versus

NORTH MUNICIPAL CORPORATION
OF DELHI AND ORS

..... Respondents

Through: Ms. Mansi Gupta, Advocate for R-1
& R-2

Mr. Satinder Singh Bawa, Advocate for R-3/SHO

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

The proceedings in the matter have been conducted through video conferencing.

1. This public interest litigation has been preferred with the following prayers:-

“a) Issue a writ of mandamus directing the Respondents No.1 to 3 to initiate appropriate proceedings for removal of illegal and unauthorized vehicle parking in MCD park of Block P- 4 Sultanpuri Delhi.

b) Issue a writ of mandamus directing the Respondents No.1 to 3 to initiate appropriate proceedings for removal of illegal and unauthorized vehicle parking at public road adjacent to MCD park of Block P - 4 Sultanpuri Delhi.

c) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. The grievance of the petitioner in the present petition is about the unauthorized/illegal parking in MCD Park, which is known as MCD Park of Block P-4, Sultanpuri, Delhi. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case and the annexures and photographs as annexed to the memo of this writ petition, it appears that the respondents are duty bound to take **enough, adequate and continuous steps to remove any unauthorized/illegal parking from the park** in question. The basic purpose of the park is to allow the people to visit the park for recreation, instead of allowing parking of vehicles. If, as the photographs suggest, the park has been converted into a parking lot, high ranking administrative officers are required to ascertain what steps are required to be taken for removal of illegal parking and restoration of the park to its original purpose.

3. It is stated by learned counsel appearing for the police authorities that the illegally parked vehicles have been cleared from the park area. However, it should be borne in mind that this is not a job of one day, but it requires continuous, consistent and effective efforts. Respondents cannot take the stand that once in the past, they had removed the unauthorized/illegal parking from the park in question, and nothing more needs to be done. This is a lame excuse. Continuous steps ought to be taken by the respondents.

4. We direct the respondents to treat this writ petition as a representation and initiate proper and effective steps for removal/prevention of any illegal parking in the park, known as MCD Park, Block P-4, Sultanpuri, Delhi.

5. With the aforesaid observation, this writ petition is hereby disposed of.

CHIEF JUSTICE

PRATEEK JALAN, J

OCTOBER 13, 2020/*ns*

