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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3185/2017

NEW FRIENDS COLONY BLOCK D WELFARE ASSOCIATION
(REGD.) Petitioner

Through: Mr.Rajesh Pathak, Adv.

versus

GOVT OF NCT OF DELHI AND ORS Respondents

Through: Mr.Naushad Ahmad Khan, ASC(Civil),
GNCTD.

Mr.Sanjeev Sagar, SC for DDA with Ms.Nazia
Parveen, Adv. for R-5.

Mr.Sandeep Bajaj, Mr.Naman Tandon, Advs. for
R-2.

Mr.Parvinder Chauhan, SC, DUSIB with Mr.Nitin
Jain, Mr.Rahul Adhana, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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25.02.2020

This petition has been filed by the petitioner *inter alia* praying
for the following reliefs:

“(a) Issue writ in the nature of certiorari and mandamus or any other appropriate writ order or direction thereby directing the Respondents to remove the jhuggies which has come on the said plot adjacent to the school and opposite to House No.D-1076, D-1077, D-1078, D-1079, D-1080 & D-1081, New Friends Colony, New Delhi after 1.1.2015.

(b) Issue another writ in the nature of certiorari and mandamus or any other appropriate writ order or direction thereby directing the Respondents to remove and relocate the JJ Cluster situated on the plot adjacent to the MCD School and opposite to House No.D-1076,

D-1077, D-1078, D-1079, D-1080 & D-1081, New Friends Colony, New Delhi.”

The learned counsel for the respondent no.5 submits that the counter affidavit has been filed on payment of cost, however, the same is not on record. Copy of the same has been handed over by the counsel.

In the counter affidavit, it is stated that at the site, there are about 20-22 Jhuggis, however, none of the persons in occupation was able to show any document regarding the ownership of the land occupied by them on which Jhuggis have been constructed, except electricity bills and Voter's I-card.

In view of the above, the respondent no.5 is directed to carry out a survey of the area again and take action against the Jhuggis in accordance with law and the Policies framed by the Government. Such action be taken within eight weeks from today.

The petition is disposed of in the above terms.

Dasti.

NAVIN CHAWLA, J

FEBRUARY 25, 2020
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