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

Date of Decision: 8th March, 2022

+ **W.P.(C) 3926/2022**

RESIDENT WELFARE ASSOCIATION BUDHELA VIKAS PURI

..... Petitioner

Through: Mr. Anil Devlal, Mr. Krishna Kumar
Sharma & Mr. Raghvendra Shukla, Advocates

versus

STATE NCT OF DELHI AND ORS Respondents

Through: Mr. Rishikesh Kumar, Mr. Rizwan &
Ms. Lakshita Bakshi, Advs. for R-1
Mr. Sanjay Katyal, Advocate for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

JUDGMENT

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

CM APPL.11688/2022 (exemption)

Allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) 3926/2022

1. This Public Interest Litigation has been preferred seeking following reliefs: -

“a) issue a writ in the nature of mandamus or any other appropriate writ, order of direction(s), thereby directing the respondents to take stern action against the encroacher of the land



of Johad/Pond who have illegally encroached over the land-in-question.

b) issue direction to the respondents to remove the encroachment over the land-in-question of Johad/Pond occupied by the respondents/land grabbers/land mafia and to initiate appropriate stringent legal action against the encroacher for their illegal and unauthorized acts.

c) issue any other appropriate writ, order or direction, remedy, or relief which this Hon'ble Court deems just and proper, in the facts and circumstances of the present matter to cancel this wrongful allotment by Respondent 1 and 2.

d) cost of the writ petition may also be awarded in favour of the petitioners."

2. We have learned counsel for the petitioner as well as learned counsel for respondent No.1 and respondent No.2.

3. Learned counsel appearing for the petitioner submits that suffice would it be for disposal of the writ petition that suitable direction is given to the concerned respondent(s) to consider the grievances of the petitioner ventilated in the present writ petition and take a decision within a stipulated time frame.

4. In view of the aforesaid submission, we hereby direct the respondent no.2 to treat this writ petition as a representation and decide the grievances ventilated by the petitioner, in accordance with law, rules, regulations and Government policies applicable to the facts of the case and on the basis of the evidences available on record, as early as possible and practicable after giving adequate opportunity of being heard to concerned persons/institutions including respondent No.3. If the encroachment is found to be illegal in nature, then action be taken in accordance with law, rules, regulations and Government policies applicable to the facts of the case.



NEUTRAL CITATION NO: 2022/DHC/001034

5. Writ petition is disposed of with the aforesaid directions.

CHIEF JUSTICE

NEENA BANSAL KRISHNA, J

MARCH 8, 2022

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