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

+ W.P.(C) 5986/2022

MOHD ARSLAN

..... Petitioner

Through: Mr.Mutiur Rehman with Ms.Shaheen,
Advocates.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms.Jyoti Dutt Sharma with Mr.Ayush
Bhatt, Mr.Harsh Rao and Mr.Angad
Gautam, Advocates for R-2/MCD.
Ms.Farhat Jahan Rehmani, ASC with
Mr.Faheem Ahmed Khan, Advocates
for R-4.
Mr.Parvinder Chauhan, Advocate for
DUSIB.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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10.04.2024

1. Present writ petition has been filed primarily to remove all illegal and unauthorized encroachments from all the parks abutting Jama Masjid, Delhi.
2. Learned counsel for MCD has handed over a status report dated 08th April, 2024. The same is taken on record.
3. Admittedly, after filing of the present writ petition, the Municipal Corporation of Delhi (MCD) has taken over possession of North and South Parks abutting Jama Masjid.



4. Learned counsel for respondent no.2-MCD states that possession of some part of the Urdu Park could not be taken over as there is a *Rainbasera* for women and children situated therein.
5. Mr.Parvinder Chauhan, learned counsel for DUSIB states that the Supreme Court vide its order dated 28th March, 2023 in W.P.(C) No.55/2003 has directed respondents not to demolish any shelter setup by DUSIB without taking leave of the Supreme Court.
6. Keeping in view the aforesaid, present writ petition is closed. However, the petitioner is given liberty to seek revival of the present writ petition or to file a separate writ petition after the Supreme Court either vacates or modifies its order dated 28th March, 2023.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

APRIL 10, 2024
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