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

+ W.P.(C) 4162/2019, CM APPL. 18776/2019 & CM APPL. 37662/2021

PASCHIM VIHAR A-6LSC DDA COMPLEX WELFARE
ASSOCIATION

.....Petitioner

Through: Mr. Lalit Gupta, Ms. Neha Bansal,
Mr. Anant Vikram Singh, Mr. Anmol
Ghai, Ms. Ishita, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

.....Respondents

Through: Mr. Anand Prakash, SC, MCD with
Ms. Varsha Arya and Mr. Satbeer
Prajapati, Advs. for MCD.
Mr. Ashim Vachher, SC, DDA with
Mr. Kunal Lakra, Mr. Vinayak Uniyal
and Ms. Saiba M. Rajpal, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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17.09.2024

1. The instant petition has been filed for direction(s) to the respondents to remove the alleged encroachment and to widen the road/ingress and egress, connecting local shopping complex and adjoining residential areas with the Fire Station, Hospital and main road at A-6, Block, Paschim Vihar, New Delhi to atleast 7 meters or more than 7 meters on need basis.
2. Learned counsel appearing for the petitioner, while taking this Court through various communications, including communication dated 28.07.2009 and 17.10.2013, submits that there has been a request by the officials of the respondent-DDA itself for taking necessary steps as has been indicated in those communications. He, therefore, submits that once the



respondent-DDA officials themselves realise the necessity of widening of the narrow passage in the interest of public at large, there is no reason as to why the respondent-DDA is not considering the aforesaid communications earnestly. He, therefore, submits that the Court may be inclined to direct the respondent to mandatorily take steps for removal of encroachment and widening of the road.

3. The Court, at this stage, takes into consideration the decision of the Supreme Court in W.P. (C) 4677/1985 titled as ***M.C. Mehta v. Union of India*** vide order dated 24.04.2018 and consequently, constitution of the Special Task Force [“STF”] in pursuance of the notification dated 08.03.2019 by the Delhi Development Authority.

4. In W.P. (C) 12033/2024, the Court has considered that a grievance of the similar nature can be agitated before the STF. The STF, consisting of the inter-departmental officials, can effectively deal with the grievance of the present nature.

5. Accordingly, reserving all rights and liberties in favour of the respective parties, the Court directs the petitioner to approach the STF with proper representation, along with a copy of this order.

6. If the petitioner does so, let the STF to deal with the petitioner’s grievance with due expedition as the instant petition has been pending before this Court since 2019.

7. In view of the aforesaid, the instant petition stands disposed of alongwith the pending applications.

PURUSHAINDR KUMAR KAURAV, J
SEPTEMBER 17, 2024/P