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

+ **W.P.(C) 5862/2024 and CM APPL.24228/2024**

**PARK AREA KAROL BAGH RESIDENTS WELFARE  
ASSOCIATION (REGD.)**

..... Petitioner

Through: Advocate (appearance not given)

versus

**LT GOVERNOR, GOVT. OF NCT OF DELHI & ORS.**

..... Respondents

Through: Mr. Anupam Srivastava, ASC along  
with Mr. Deepak Jain, Adv. for R-1.  
Mr. Vikas Chopra, SC along with Ms.  
Anita R. Mishra, Adv. for R-2/MCD.  
Mr. Sanjay Katyal, SC along with Mr.  
Nihal Singh, Adv. for DDA.

**CORAM:**

**HON'BLE MR. JUSTICE SACHIN DATTA**

**ORDER**

**01.05.2024**

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1. The present petition has been filed by the petitioner assailing the action of the respondent no.2 to allegedly construct a medical dispensary in Ajmal Khan Park.
2. It is submitted by the petitioner that any construction within the precincts of the park is impermissible, and would also severely and adversely affect the character of the park in question, which is a heritage park.
3. Learned counsel for the respondent no.2/MCD, who appears on advance notice, submits that no construction whatsoever within the park has been carried out by the MCD, and that only the pre-existing rooms are sought to be utilised.



4. As such, the apprehension of the petitioner that any construction is being carried out by the MCD stands resolved in view of the aforesaid statement of learned counsel for the MCD.

5. The only other grievance sought to be agitated by the petitioner is that there is no necessity of a dispensary within the Ajmal Khan Park inasmuch as there are two government hospitals just in the vicinity of the said park. It is submitted that the pre-existing rooms can be used for any other purpose by the MCD. The petitioner is at liberty to make a representation in this regard to the concerned Executive Engineer of the MCD, Karol Bagh Zone, New Delhi. Upon such a representation being made, the same shall be duly considered and a speaking order shall be passed thereon after affording an opportunity of hearing to the petitioner. Let any such representation, as may be made by the petitioner in this regard be disposed of within a period of four weeks from the date of submission of such representation.

6. Taking on record the aforesaid statement of learned counsel for MCD and with the aforesaid directions, the present petition, along with pending application/s, is disposed of.

**SACHIN DATTA, J**

**MAY 1, 2024/cl**