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

+ W.P.(CRL) 1305/2024

MR MOHIT K JAKHAR

& ORS.

.....Petitioners

Through: Mr. Vikram Singh Panwar
& Mr. Abhimanyu Singh,
Advts.

versus

COMMISSIONER OF POLICE

& ORS.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for
the State
SI Sandeep Rawal, HC
Vikas Nagar, PS- Lajpat
Nagar

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

31.07.2024

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**CRL.M.A. 17568/2024 (for directions) in W.P.(CRL)
1305/2024**

1. The writ petition was dismissed as withdrawn by order dated 29.04.2024, noting the submissions made by the learned Additional Standing Counsel ('ASC') for the State that the concerned 'beat constable' will be sent to take note of the situation.

2. The learned ASC for the State submits that the 'beat constable' was sent on the next date and the dispute appears to be over a parking space. He submits that the Police, in such circumstances, cannot proceed further, however, as and when any allegation in regard to the commission of an offence or in



regard to breach of peace is made by any of the parties, appropriate action will be taken.

3. The present application is filed seeking directions to remove the blockage done by respondent's car in front of the petitioner's office gate.

4. The petitioner claims that the neighbour has been illegally parking his car in front of the petitioner's office and, thus, blocking the ingress and egress. It is contended that only the petitioner has right to park a car in front of his office. Concededly, passing any order on such prayers and contention, would require adjudication of facts. Moreover, any order as prayed by the petitioner, would also involve continuous monitoring and supervision on daily basis. Such orders, in the opinion of this Court, cannot be passed while exercising jurisdiction under Article 226 of the Constitution of India.

5. I, therefore, find no reason to entertain the present application.

6. The petitioner is at liberty to take appropriate action in accordance of law.

7. The application is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

JULY 31, 2024

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