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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 9597/2021, CM APPL. 29703/2021 and CM APPL. 51422/2023

MANGLAM PLACE WELFARE ASSOCIATION REGD.

.....Petitioner

Through: Mr. Awadh Kaushik, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS.

.....Respondents

Through: Ms. Puja Kalra, SC with Mr. Virendra Singh, Adv. for MCD.
SI Joginder Singh, Parvie Officer Traffic with ASI Rajeev Kumar, Rohini Traffic Circle.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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25.07.2024

1. This Court, on 09.01.2024, had passed the following directions:-

“1. Vide order dated 20.10.2022, this court had appointed a Local Commissioner to visit the concerned area and earmark parking points as per the original layout plan. The mandate of the Local Commissioner appointed by this court was as under:

“The Local Commissioner shall earmark parking point as per the original layout plan in the presence of concerned officials of MCD and DDA, as This is well as the parties to the present petition, and be at liberty to take photographs at the site, if deemed necessary.”

2. The Local Commissioner duly inspected the concerned site in the presence of the concerned parties including the representative of the DDA and MCD. The Local Commissioner has identified the area wise details of



the parking site as follows:

<i>“Parking sites</i>	<i>Total Area (in meters)</i>
<i>P-7</i>	<i>125.0</i>
<i>P-8</i>	<i>2688.15</i>
<i>P-10</i>	<i>2270.47</i>
<i>P-11</i>	<i>2171.10”</i>

3. The same has also been depicted in the layout plan annexed with the Local Commissioner’s report.

4. In light of the Local Commissioner’s report, it has been sought by the petitioner vide CM APPL.51422/2023 that no parking contractor including respondent no.6 should be allowed to use any land area other than the parking sites identified by the Local Commissioner.

5. Learned counsel for the respondent no.1 submits, on instructions, that after the aforesaid exercise was conducted by the Local Commissioner, no further parking points have been designated by the MCD.

6. Learned counsel for the petitioner emphasises that there should be no presence of any parking contractor in the green/open areas other than the parking points specifically identified by the Local Commissioner.

7. Considering that the Local Commissioner has carried out the aforesaid exercise in presence of the concerned representatives of the concerned authorities i.e. the MCD and DDA and considering that it is the stand of the MCD itself that the parking contractor is authorized to operate This is only in the designated parking points, the MCD and the police authorities/respondent nos.1 to 5 are directed to ensure that no areas other than the designated parking points are occupied/utilised by any parking contractor engaged by the MCD.

8. The concerned SHO, PS (South) Rohini is directed to ensure compliance with the aforesaid directions.

9. List on 25.07.2024.”

2. Mr. Awadh Kaushik, learned counsel appearing for the petitioner in the capacity of President, submits that his grievance stands satisfied in view of the order passed on 09.01.2024; however, he has certain grievances with respect to non-compliance of the said order.



3. Needless to state that if there is non-compliance of the order dated 09.01.2024, the remedy would lie elsewhere.
4. In view of the aforesaid, the Court is not inclined to keep this petition pending and instead grants liberty to take appropriate recourse in accordance with law.
5. The order dated 09.01.2024 stands confirmed.
6. The petition stands disposed of alongwith the pending applications.

PURUSHAINdra KUMAR KAURAV, J

JULY 25, 2024/p