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

+ **W.P.(C) 6970/2024**

ZAROORAT EDUCATIONAL AND WELFARE SOCIETY REGD

..... Petitioner

Through: Mr.Amit Srivastava with Mz.Uzma
Quraishi and Mr.Monish Panchal,
Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr.Amit Tiwari, CGSC with
Mr.Shaurya Rai, Mr.Hussain Tarvi
and Mr.Amit Ranjan, Advocates for
UOI.
Mr.Ajjay Aroraa with Mr.Kapil
Dutta, Mr.Vansh Luthra and
Ms.Simran Arora, Advocates for
MCD.
Mr.Sanjay Katyal, standing counsel
for DDA.
Ms.Prabhsahay Kaur, standing
counsel with Mr.Bir Inder Singh,
Advocate for R-5/STF
Mr.Biraja Mahapatra with Mr.Rajit
Sharma, Advocates for R-6.
Mr.Mohit Bhardwaj, Advocate for R-
4 & 7.
Mr.Sunil Dalal, Sr.Advocate with
Mr.Kapil and Ms.Manisha Saroha,
Advocates for R-8 to 10.
SI Ashish, PS Shaheen Bagh.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA



ORDER

15.05.2024

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C.M.No.29035/2024

1. Exemption allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

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3. Present public interest petition has been filed seeking issuance of directions to respondent nos.1 to 7 to demolish the illegal and unauthorized construction work being carried out at properties bearing Khasra Nos. 220/1 (2-17) and 220/2 (4-06) admeasuring 7 bighas 3 biswas in Village Okhla, near Abadi area of Nai Basti, Abul Fazal Enclave, Delhi by respondent nos.8 to 13 within restricted area between Okhla Bird Sanctuary and Yamuna River.

4. Learned counsel for the petitioner states that the petitioner made a complaint dated 18th March, 2024 to respondent nos.1 to 7 and informed them about the illegal construction of a multi-storey building by respondent nos.8 to 13 within one kilometer of the eco-sensitive Zone from demarcated boundaries of Okhla Bird Sanctuary as well as Yamuna area. He, however, states that respondent nos. 1, 6 and 7 have not taken any action so far.

5. Learned counsel for MCD states that a similar writ petition being W.P.(C) No.1425/2024 has been filed, wherein demolition order has been passed and the aggrieved parties have approached the Appellate Tribunal MCD (ATMCD). He states that substantial action has already been taken against the unauthorised construction and no fresh construction is going on as of date.



6. Learned senior counsel for respondent nos.8 to 10 states that the memo of parties in the present writ petition and in W.P.(C) No.1425/2024 are the same. He also states that some of his clients have already approached the ATMCD and obtained a stay order.

7. Keeping in view the fact that Zone 'O' is an eco-sensitive Zone, this Court disposes of the present writ petition with a direction to the STF to monitor Zone 'O' and to ensure that no further unauthorised construction or encroachment is carried out in this Zone. The complaint dated 18th March, 2024 filed by the petitioner is directed to be dealt with by the STF in accordance with law. With the aforesaid direction, present writ petition stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 15, 2024
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