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

+ W.P.(C) 7331/2024 & CM APPL. 30654/2024

NARENDER KHATRI

.....Petitioner

Through: Mr. Devesh Pratap Singh and Ms.
Chandermani Grover, Mr. Adamaya
Pal Singh, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondent

Through: Mr. Avishkar Singhvi, ASC, GNCTD
with Mr. Vivek Kr. Singh, Mr. Naved
Ahmed and Mr. Shubham Kumar,
Advs. for R-1,3,5 and 6.
Mr. Badar Mahmood, SC, MCD.
Mr. Ashim Vachher, SC, DDA with
Mr. Kunal Lakra, Advs.
Mr. Sunil Dalal, Sr. Adv. with Mr.
V.P. Rana, Ms. Manisha Saroha, Mr.
Nikhil Beniwal, Mr. Vikram Singh
Dalal and Mr. Navish Bhati, Advs.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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23.07.2024

1. On 21st May, 2024, this Court had directed the Vice Chairman, DDA to appoint a senior officer from the DDA to visit the khasra numbers in question along with the Deputy Commissioner, MCD, Narela, SDM Alipur, DM North and SHO Narela and to submit a report to the STF. The Vice Chairman, DDA was also directed to ensure that no illegal and unauthorized



construction or encroachment is carried out in the aforesaid area in accordance with the standard operating procedure devised vide minutes of meeting dated 18th April, 2024.

2. In pursuance to the said order, status report dated 28th May, 2024 has been filed by the MCD and a Joint Inspection Report dated 27th May, 2024 has been filed on behalf of the respondents.

3. In the said status reports, it is stated that though the village Mamurpur has been urbanized vide notification dated 20th November, 2019 yet as the village falls in the green belt as per MPD, 2021, it is excluded from the development area. It is further stated that the area comes under the jurisdiction of MCD for construction/ building related issues. It is also stated that the SDM, Narela vide its order dated 09th February, 2022 had accorded permission for construction of boundary wall on land measuring 9 bighas 12 biswas out of Khasra No. 38/17/1, 18/1, 38/14/1, 14/2 & 14/3.

4. In the joint Inspection report it is stated that khasra No. 38/14/1, 38/14/2, 38/17/1, 38/18/1 and 38/13/2 have not been acquired by DDA or other Government agencies as per revenue record of GNCTD pertaining to village Mamurpur. It is further stated that no fresh construction has been noticed on khasra No. 38/17/2.

5. From the photographs placed on record, it seems that at places, the boundary wall is more than five feet high.

6. Mr. Dalal, learned senior counsel for all the private respondents assures and undertakes to this Court that the construction of the boundary wall will be maintained at five feet. He further assures and undertakes to this Court that the land falling in village Mamurpur shall be used according to MPD, 2021 and no construction shall be carried out contrary to law.



7. The said statements/ undertakings given by learned senior counsel Mr. Dalal are accepted by this Court and the said respondents are held bound by the same. Recording the aforesaid statement/ undertaking, the present petition is disposed of with consent of learned counsel for the petitioner.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 23, 2024

N.Khanna