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

+ **W.P.(C) 10922/2023 & CM APPL. 63230/2023**

KAVITA GUPTA

.....Petitioner

Through: Mr. Desh Raj and Mr. Piyush Yadav,
Advvs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Abhinav Sharma and Mr.
Mahender Shukla, Advvs. for MCD.
Mr. Viplav Acharya, SPC, UoI with
Ms. Laavanya Kaushik, G.P. along
with SI Priyanka, PS: Shahdara for
Delhi Police.
Mr. Devanshu Chauhan, Adv. for R-
6&7.

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+ **W.P.(C) 16136/2023 & CM APPL. 64856/2023**

G.T. RAJ BLOCK RWA (REGD.)

.....Petitioner

Through: Mr. Sunder Khatri, Mr. Sanay and
Mr. Ravi Grover, Advvs.

versus

MCD AND ORS

.....Respondents

Through: Mr. Rajesh Kumar, SC with Ms.
Mansi Aggarwal and Ms. Swati
Sinha, Advvs. for MCD.
Mr. Prashant Manchanda, ASC along



with Ms. Nancy Shah and Mr. Haridas Medha and Ms. Ankita Singh, Advs. for Delhi Police.

Mr. Rohan Jaitley, CGSC with Mr. Dev Pratap Shahi, Ms. Ranjana Jetley and Ms. Yogya Bhatia, Advs. for R-5 & 6.

Mr. Anurag Nasiar and Ms. Tanya, Advs. for R-4 & 5.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

03.09.2024

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1. The instant writ petitions relate to almost similar controversy and hence, they are being decided by this common order.
2. The petitioner in W.P.(C) 16136/2023 has prayed for the following reliefs:-

“A). Issue writ, order, direction in the nature of mandamus thereby directing respondents no. 1 to 6 to perform their duty to grant permission and regularise 4 gates ABCD in the site lay out plan of G.T. Raj Block Colony, G.T. Road Naveen Shahdara, Delhi-32 for the safety and security of the residents of petitioner society members.

B). Issue writ, order, directions in the nature of mandamus thereby directing respondents no. 1 to 6 to permit to re-erect/reinstall 2 gates AB in the site lay out plan of G.T. Raj Block Colony, G.T. Road Naveen Shahdara, Delhi-32 for the safety and security of the residents of petitioner society members.

C). Issue writ, order, directions in the nature of certiorari setting aside order dated 21.11.2023 by Executive Engineer M-III, Shahdara Zone MCD as wrong, illegal, unsustainable in law, against principles of natural justice.”

3. The Court had earlier directed the respondents to place their stands on record and had also passed various directions from time to time.



4. The respondent-Corporation has placed on record its status report.
5. The counter affidavit filed by respondent Nos.1, 2 and 3 in W.P.(C) 10922/2023 would state that various steps have been taken in accordance with law to redress the grievance raised in the instant writ petitions.
6. Learned counsel appearing for the petitioners also submits that even according to his instructions, partial action has already been taken and the respondent-Corporation has to take the issue to its logical end.
7. In view of the above, the Court, at this stage, only deems it appropriate to direct the respondent-Corporation to take necessary steps in accordance with law within a period of eight weeks from today.
8. In case, the respondent-Corporation fails to do so, the petitioners shall be at liberty to approach the Special Task Force which has been constituted as per the observations made by the Supreme Court in W.P.(C) 4677/1985 titled as *M.C. Mehta v. Union of India & Ors.*
9. Reserving that liberty in favour of the petitioners, the petitions stand disposed of alongwith the pending applications.

PURUSHAINDRA KUMAR KAURAV, J.

SEPTEMBER 3, 2024/p