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

+ **W.P.(C) 13479/2023**

RAVINDER YADAV

..... Petitioner

Through: Petitioner in person (through VC)

versus

GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Mr. Karn Bhardwaj, ASC (GNCTD)
with Mr. Shubham Singh and Mr.
Rajat Gaba, Advocates for R-1, 3, 4
& 6 to 10.

Mrs. Avnish Ahlawat, Standing
Counsel, GNCTD, Services with Ms.
Aliza Alam and Mr. Mohnish
Sehrawat, Ms. Laavanya Kaushik,
and Mr. Nitesh Kumar Singh,
Advocates for R-1 and 2

Ms. Tajinder Viridi, Advocate
(through VC) for R-5/MCD

Mr. Sharique Hussain, Advocate for
R-11/BSES RPL

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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08.05.2024

CM APPL. 27228/2024

1. Present application has been filed by the Petitioner seeking directions to the Respondents to stop the ongoing illegal construction at Phirni Road, Najafgarh in front of the Shri Krishan Mandir at Furniture Market, Najafgarh.



2. With consent of parties, the present writ petition is taken up for hearing and final disposal.

3. It is pertinent to mention that the present writ petition has been filed with the following prayers:

- a) Allow the present petition and direct the respondent to remove the illegal sabzi Mandi from Najafgarh-Jharoda road, Najafgarh by dismissing the WPC- 11601/2022 (Annexure-P21 and 4445/2015 (Annexure-P16) filed by the, “Najafgarh Fruits and Vegetable Whole Sale Sellers and Adhitey Association sabzi Mandi, Najafgarh and others”*
- b) Direct the assistant Engineer PWD, Najafgarh to remove the permanent structures, shops situated at phirni road, Najafgarh (Annexure-P1) and piyau at Jharoda Stand, Najafgarh (Annexure-P24)*
- c) Direct the Assistant Commissioner, MCD, Najafgarh to remove the fruit shops/hawker from Khaira mod crossing.*
- d) Direct the BSES to remove/shift electric poles, transformers from Khaira mod, furniture market, Najafgarh.*
- e) Direct the transport department to examine the capacity of DTC buses parking in DTC, Najafgarh depot.*
- f) Pass such other order or orders as this Hon’ble court deems fit and proper in the facts and circumstances of the case.*

4. The learned predecessor Bench while issuing notice *vide* order dated 12th October, 2023 had rejected prayer (a) as not maintainable.

5. As far as prayers (b) to (f) are concerned, this Court finds that the Special Task Force (STF) headed by the Vice Chairman, Delhi Development Authority (DDA) is the appropriate authority to deal with such reliefs.



6. Consequently, this Court disposes of the writ petition with a direction to the Chairman, STF to treat the writ petition as a representation and to decide the same in accordance with law as expeditiously as possible.

7. With the aforesaid directions, the present writ petition and the pending applications stand disposed of. The rights and contentions of all the parties are left open. The next date of hearing i.e., 22nd July, 2024 is cancelled.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 8, 2024/msh