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

+ W.P.(C) 14639/2024 & CM APPL. 61447/2024

GYAS RAM REXWAL

.....Petitioner

Through: Mr. Sunil Choudhary, Advocate.

versus

MUNICIPAL CORPORATION
OF DELHI & ORS.

.....Respondents

Through: Mr. Umang Tyagi, ASC for MCD.
Mr. Shiven Varma, Panel Counsel
for R-2/ASI, GNCTD. [M:-
9810768282].
Mr. Nune Balraj, SPC for UOI
with Ms. Meghna Rao & Mr.
Harshit Goel, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.10.2024

1. The petitioner has approached this Court for directions against the Municipal Corporation of Delhi ["MCD"] with regard to clearing encroachment on a public road at village Badarpur.
2. It is the contention of the petitioner that the public road has been occupied by persons who have set up commercial establishments in the vicinity of the historical entrance to the village.
3. Mr. Umang Tyagi, learned counsel for the MCD, submits that an attempt was made to take action with regard to the encroachment, but the occupants relied upon a judgment of this Court in RSA 181/2002 by



which Delhi Development Authority [“DDA”] was restrained from dispossessing the plaintiffs therein. By a further judgment dated 16.12.2010 in RSA 186/2002, the DDA was directed to demarcate the subject property.

4. In view of the aforesaid order, it appears that coordinated action between MCD, Government of NCT of Delhi, the police authorities and DDA will be required with regard to the alleged encroachments. The Supreme Court vide orders dated 24.04.2018 and 18.07.2018 in W.P.(C) 4677/1985 [*M.C. Mehta vs Union of India & Ors.*] has set up a Special Task Force [“STF”] constituted of representatives of all the concerned agencies to take coordinated actions in such cases. The present case, in my view, would be appropriately dealt with by the STF.

5. Mr. Sunil Choudhary, learned counsel for the petitioner, submits that he will make a complaint to the STF within one week from today. If such a complaint is made, it is expected that STF will take prompt action.

6. It is made clear that these directions are passed without prejudice to the rights and contentions of any of the parties to the aforesaid appeals, or to rights and contentions of the parties, who are alleged to have encroached upon the land in question. The statutory authorities are directed to act strictly in accordance with law, and after complying with all statutory requirements.

7. The writ petition stands disposed of with these observations.

PRATEEK JALAN, J

OCTOBER 21, 2024
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