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

+ W.P.(C) 9523/2019

RAJEEV KUMAR YADAV

.....Petitioner

Through: Mr. Rakesh K. Lakra, Adv. (Through
VC)

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Pradumn Kumar, Adv. for
R-1 & 2/UOI
Mob: 9910483635
Mr. Dinesh Dahiya, Adv.
Mob: 9136212172
Email: adv.dineshdahiya@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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04.11.2025

1. The present writ petition has been filed seeking directions to restrain respondent nos. 1 and 2 from doing any encroachment on the stretch of public road and Government land linked to *Entry Gate No. 10 of Nizamuddin East Residential Colony*, by putting any construction material on the public road.
2. Learned counsel appearing for the respondent nos. 1 and 2, i.e., Union of India ("UOI"), draws the attention of this Court to the Status Report dated 03rd February, 2021 filed on behalf of respondent nos. 1 and 2, which reads as under:



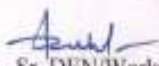
Ref:- Rajiv Kumar Yadav Vs Union of INDIA W.P(C) 9523/2019

Status Report:-

The road starts from Neela Gumbad on Main Mathura Road near Police Station Hazrat Nizamuddin heading towards Gurdwara Dum Duma Sahib near ITBP Office and merges at Entry Gate No. 10 of Nizamuddin East Residential Colony is a public road only upto Gurudwara Dum Duma Sahib premises and onwards road upto Gate No. 10 East Nizamuddin Colony is railway road being used by ASI for Neela Gumbad only not a through fare. The road is in Railway land and handed over to ASI for developing surrounding area of NEELA GUMBAD And its approach.

Hazrat Nizamuddin station is having a big yard and for day to day maintenance of the track, the material is required to be kept near the yard only. For stacking of the P. Way material, storage area and stacking area for railway material is kept in the railway land along the road but not on the road as stated by the petitioner in the case. During July, August & September being rainy season there is need of excess material to meet up any emergency due to any awkward incidence during heavy rain or otherwise, hence material was stacked along the road and not on the road.

At present the road area is clear from any type of encroachment, clear from any unlawful activity and no dumping of construction material is there. (Photo attached)


Sr. DEN/Works
N.Rly., New Delhi

3. By referring to the aforesaid Status Report, learned counsel appearing for respondent nos. 1 and 2, submits that all the construction material has already been removed and there exists no encroachment on the public road.
4. Learned counsel appearing for respondent nos. 1 and 2 also relies upon the photographs, attached with the said Status Report, which are reproduced as under:



5. Accordingly, respondent nos. 1 and 2 are enjoined upon to ensure that



there shall be no encroachment in the form of dumping of any material on the public road.

6. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

NOVEMBER 4, 2025/SK