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

+ **W.P.(C) 3997/2021 & CM APPL. 22883/2021**

MUDASSER & ORS.

.....Petitioners

Through: Mr. Syed Hasan Isfahani along with
Mr. Syed Mohd Hassan, Advs.

versus

DISTRICT MAGISTRATE CUM CHAIRMAN (DUDA) & ORS.

.....Respondents

Through: Mr. Shoaib Khan and Mohd.
Shahrukh Khan, Advocates for R-3.
Mr. Sanjeev Mahajan, Adv. in CM
APPL 22883/2021.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **20.04.2026**

1. This petition is for the following reliefs:

“a) issue writ of mandamus or any other appropriate writ order or direction in the nature of mandamus commanding Respondents to immediately carryout the boundary of kabristan Son Burj for which the budget has been sanctioned, part payment has been released and work order released;

b) issue writ of mandamus or any other appropriate writ order or direction in the nature of mandamus commanding Delhi Wakf Board, the respondent no. 3, to cooperate respondent 1 and 2 for carrying out work of boundary wall by issuing NOC and to fulfil any other requirement for facilitating the work; and

d) pass such and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. It appears that on 15.04.2021 and 29.07.2021, the Court has dealt with the controversy to some extent. What, however, transpires is that the



construction of the boundary wall of Kabristan Son Burj in Mehrauli, Delhi, which was sanctioned *vide* order dated 14.03.2017, has not yet been constructed.

3. The Court, thus, deems it appropriate to direct the concerned District Magistrate [DM] to look into the aforesaid aspect and to ensure that the boundary wall is duly constructed without any further delay. As to what is the alignment of the boundary wall and who is under encroachment, all the issues will have to be dealt with by the concerned DM.

4. The parties, including the impleadment applicant and stakeholders, shall be at liberty to put forth their case before the concerned DM.

5. Let the DM to take the issue to its logical conclusion within six months from the date of receipt of a copy of the order passed today.

6. Petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

APRIL 20, 2026