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

+ W.P.(C) 10849/2021 & CM. APPLS. 33464-65/2021

206 WARD COMMITTEE JAMIA NAGAR (REGD.)..... Petitioner
Through Mr. Nitin Saluja, Advocate.

versus

NCT OF DELHI & ORS. Respondent
Through Mr. Sameer Vashisht, ASC (Civil),
GNCTD with Ms. Urvi Kapoor,
Advocate and SI Manish Tyagi, PS-
Jamia Nagar for R-1, 3 and 4.
Mr. Tushar Sannu, Standing Counsel for
R-2 with Ms. Ankita Bhadauriya,
Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
24.09.2021

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1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to respondent/Corporation to stop illegal encroachment and demolition of *mandir* and *dharamshala* situated at 184, Johri Farm, Noor Nagar Extn., famously known as 'Mandir' and further seeks a direction to respondents No.3 and 4 i.e. the Delhi Police to ensure that the said area is not encroached or demolished by miscreants.
3. Learned counsel for the petitioner submits that part of the area which was the dharmashala of the *mandir* has been demolished overnight in a haste and the entire area has been leveled so that the same can be encroached upon by illegal miscreants/builders.

4. Learned counsel places reliance on the photographs to show demolition action being taken. He further submits that in the layout plan available on the website of the Urban Development of the Delhi Government, the area of the *mandir* is shown.

5. The layout plan of Noor Nagar Extension Jamia Nagar, Okhla Extension, New Delhi where the also *mandir* is shown is available on the following link:

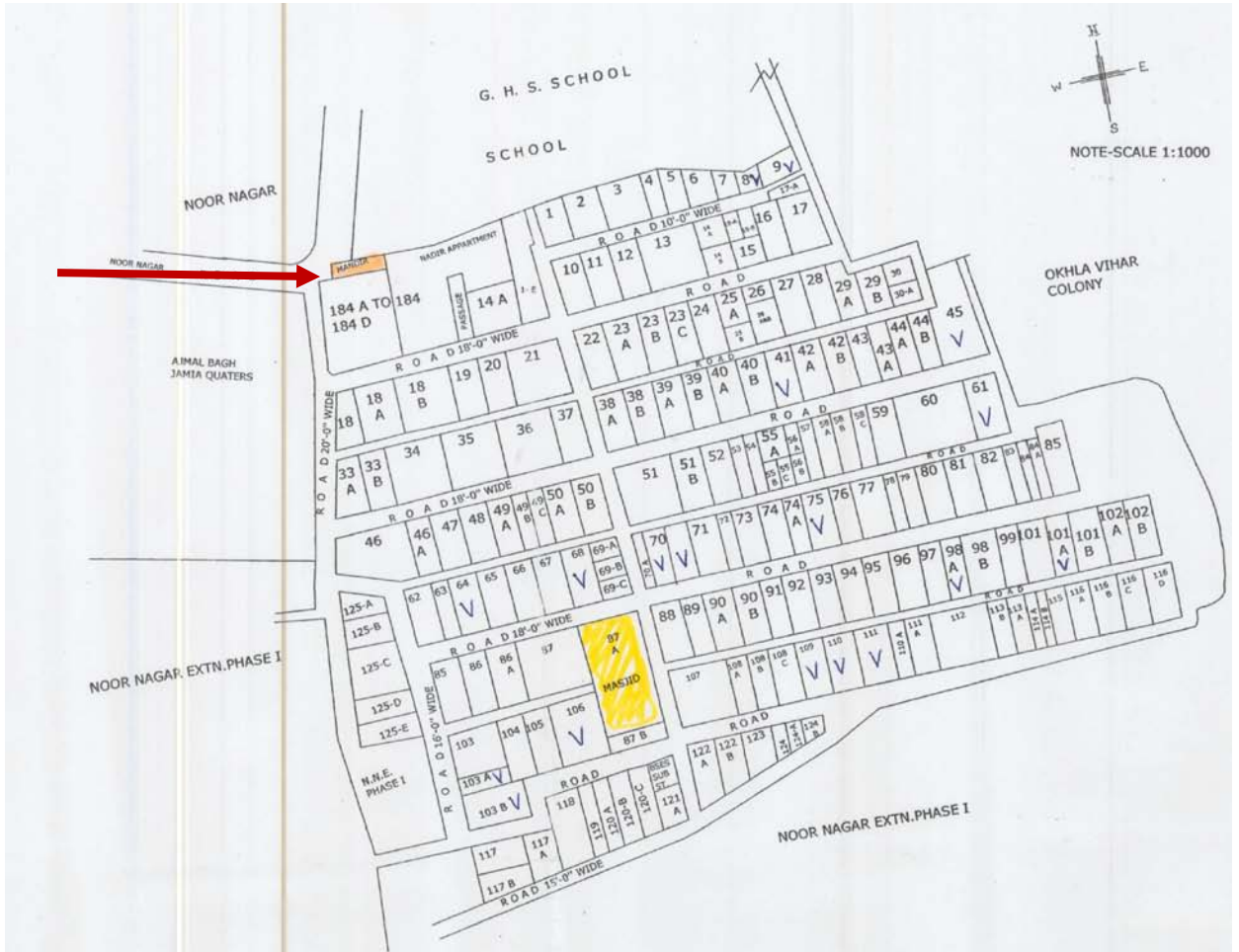
http://ud.delhigovt.nic.in/DoIT/DOIT/DOIT_UDD/Images/3.JPG.

6. Issue notice. Notice is accepted by learned counsel appearing for respondents No.1, 3 and 4 as also by learned counsel for respondent No.2/Corporation.

7. Learned counsel appearing for the Corporation submits that no demolition action is being carried out by the Corporation. He submits that when the property was inspected, no construction activity was also found on the subject area. He submits that the issue now pertains to law and order and protection of the area, which would be the responsibility of Delhi Police for which communication has already been sent by the Corporation to the Delhi Police.

8. Learned counsel appearing for respondents No.1, 3 and 4 assures that the Police shall ensure that there is no illegal unauthorized encroachment on the said area and the area which is shown as *mandir* in the layout plan shall be preserved and protected. They shall also ensure that there is be no law and order issue at the spot.

9. The layout plan as available on the website of the Delhi Government is reproduced herein:



DETAILED LAY OUT PLAN OF NOOR NAGAR EXTN.
 JAMIA NAGAR, OKHLA NEW DELHI 110025
 TOTAL AREA=7.8 ACRES

- TOTAL PLOTS= 190
- BUILDUP PLOTS=173
- VACANT PLOTS=017
- BSES SUB STATION
- MASJID = 1
- MANDIR = 1
- PARK = 0



D. N. Sharma
D. N. SHARMA
 Regd. Architect
 M.C.D.L.N.S-1556
 H. No.191, Galia Road
 T. S. Nagar, Anand
 New Delhi-5



KEY PLAN
 NOTE-SCALE 1:

10. The respondents are bound down by their respective statements and assurance given to the Court.

11. Petition is accordingly disposed of, directing the respondents to ensure that there is no issue of law and order in the area and the area depicted as *mandir* in the layout plan is protected and maintained as a *mandir* and no encroachment by any miscreant is permitted on the same.

12. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through e-mail by the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 24, 2021

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