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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3245/2020 & CM APPL. 11317/2020

GRAM SUDHAR SAMITI (REGD) & ANR Petitioners

Through: Mr. Anand Yadav, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION ...Respondent

Through: Mr. Sudhir Nandrajog, Sr. Advocate with
Mr. Mukesh Gupta, Advocate for R-1.
Mr. Naushad Ahmed Khan, ASC (Civil) for
R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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25.06.2020

1. The hearing was conducted through video conferencing.
2. Additional affidavit in terms of the previous order is stated to have been filed by the Corporation. However, the same is not on record. The learned Senior Advocate for the Corporation submits that about half of the plaster-work inside the *Baradari* Hall has been completed and the remaining half will be completed expeditiously and the roof of the said structure needs to be re-plastered so as to prevent seepage during the imminent rainy season. Let its roof be re-plastered and the the flooring too, be put in shape for proper use.
3. Photographs apropos the public amenities have not been filed. To the three water taps affixed to the old water tank, no provision of drainage of used water is seen. Due measures in this regard shall be taken. The water tank area shall be cleared-up, re-plastered and white-

washed so as to make it encouraging enough to be used by visitors. Other requisite facilities too shall be installed in place before the next date. Except for the above construction and the completion of the new toilet block, no further construction activity is carried out till further orders.

4. Additionally, this Court's earlier orders apropos provision of a temporary cover by way of a shed or a *shamiana* to protect visitors from the elements, has not been complied. There is no explanation for the same. Citizens who come to cremate their dear ones, should not be deprived of essential amenities. Let an affidavit be filed by the Executive Engineer concerned, with the approval of the Deputy Commissioner of the Zone.
5. The learned counsel for the petitioner refers to the counter-affidavit filed by the Corporation in terms of the court's earlier order (26.05.2020), wherein photographs of the *Baradari* Hall show three rooms with open front. With reference to subsequent photos filed by the Corporation, it is contended that construction in one of the rooms was continued in the face of the court's order, and it has been converted into a functional room. Let the Corporations affidavit address this issue as well, along with photos of the *Baradari* Hall, from the front, from the sides and from the inside.
6. The petitioner shall be permitted to take photographs of the construction work at the site and file the same supported by an affidavit before the next date. Copy of the same shall be shared with the learned counsel for the respondents.
7. List on 21.07.2020. The Corporation may approach the court in case

of any difficulty.

8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JUNE 25, 2020/RW