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

+ **CONT.CAS(C) 1538/2023 & CM APPL. 6111-6112/2024**

MANVADHIKAR ASSOCIATION

..... Petitioner

Through: Mr. Vivek Sharma, Adv. (Through
VC)

versus

SHRI SANJAY ARORA & ORS.

..... Respondents

Through: Mr. Abhinav Singh, Ms. Swega
Agarwal & Ms. Bhavi Garg, Advs.
for R-1 and 2.
M: 9811188892
Mr. Karan Sharma, SC, MCD with
Mr. Mohit Siwach, Adv. for R-3 & 4.
M: 9999777847

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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01.02.2024

CM APPL 6112/2024 (For Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

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3. The present application has been filed with prayer for directions to the respondents to stop the commercial activity on the road which is not notified near Ashok Nagar Flyover, Wazirabad Road, Delhi and to remove the illegal construction and encroachment on Plot No. J-5, West Jyoti Nagar, Loni Road, Delhi.
4. It is submitted that there is a further prayer for stopping the illegal encroachment and construction on the land reserved for public amenities in



area of West Jyoti Nagar and West Jyoti Nagar Extension, Delhi.

5. It is submitted that the respondents are allowing the land grabbers to encroach and construct upon the public land reserved for the public amenities in the area of West Jyoti Nagar Extension in clear violation of the earlier order dated 16th March, 2023.

6. It is further submitted that the Municipal Corporation of Delhi (“MCD”) is clearly acting in violation of the Master Plan as they are allowing commercial activity on a non-notified road near Ashok Nagar Flyover, Wazirabad Road, Delhi and is issuing the license for liquor shops, which can only be opened on a road notified for opening of liquor shop.

7. Issue notice. Notice is accepted by the learned counsel appearing for the respondent nos. 1 to 4.

8. Learned counsel appearing for the respondent nos. 3 and 4 submits that the department is in the process of considering the various documents to assess whether the construction being carried out on the land in question, is on a private land or public land.

9. The respondents are directed to come back with clear instructions on the next date of hearing.

10. Let reply be filed before the next date of hearing.

11. Re-notify on the date already fixed i.e., 09th February, 2024.

MINI PUSHKARNA, J

FEBRUARY 1, 2024/kr