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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 151/2016 & CM APPL. 28319-28320/2017, CM
APPL. 36581-36582/2017, CM APPL. 3515/2019
CORRUPTION REMOVAL SOCIETY (REGD) Petitioner

Through: Mr. Abhas Kumar, Advocate.
Mob: 9910425958

versus

KEWAL KISHORE SHARMA Respondent

Through: Mr. Prabhasahay Kaur, SC for DDA
with Mr. Bir Inder Singh Gurm and
Ms. Pragati Singh, Advocate for
DDA.
Mob: 8171798389
Mr. Anuj Aggarwal, ASC, GNCTD
With Ms. Arshya Singh, Mr. Yash
Upadhyay and Mr. Siddhant Dutt,
Advocates for R-1.
Mob: 9891363718
Mr. Kapil Dutta, Standing Counsel
for MCD

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
21.02.2024

1. This Court has perused the Minutes of the Meeting dated 03rd May, 2023 which was held under the Chairmanship of Commissioner (Land Management), Delhi Development Authority ("DDA") in his chamber with Deputy Commissioner, South Zone, Municipal Corporation of Delhi



(“MCD”) and Revenue Officers/Officials of Sub-Divisional Magistrate (“SDM”), Saket.

2. The issue pertains to removal of encroachment from Khasra No. 325/1, Village Lado Sarai, New Delhi, for the purposes of carving out a road therein.

3. The relevant Para of Minutes of the Meeting dated 3rd May, 2023 reads as under:

“xxx xxx xxx

iii. Since the said land of Khasra no. 325/1 village Lado Sarai falls in unauthorised colony namely Lado Sarai extension forming part of 1713 unauthorised colonies and all the building activities/bye-laws/unauthorized construction etc. are under jurisdiction of MCD in unauthorised colonies irrespective of ownership of land. Therefore, MCD will be the SDM (Saket) and Delhi Police will provide all necessary assistance in carrying out the demolition programme.

xxx xxx xxx”

4. Perusal of the aforesaid Minutes of the Meeting shows that a decision was taken that MCD shall be the nodal agency for joint demolition program and other departments like the DDA, SDM, Saket and Delhi Police will provide all necessary assistance in carrying out the said demolition program.

5. Mr. Kapil Dutta, learned Standing Counsel appearing for the MCD submits that he may be granted some time to seek instructions in this regard.

6. Mr. Anuj Aggarwal, learned Additional Standing Counsel for the Delhi Government submits that the SDM, Saket has already demarcated the area in question and has demarcated the area of the common path (*rasta*).

7. He further submits that relevant action will be taken by the MCD in terms of the decision taken in the aforesaid Minutes of Meeting.

8. Learned counsel for the DDA submits that a Status Report on behalf of DDA has been filed yesterday, i.e., 20th February, 2024, wherein they



have reiterated the contents of the Minutes of Meeting dated 3rd May, 2023.

9. Accordingly, it is directed that MCD along with the other departments, shall comply with the decision taken in the Minutes of Meeting dated 3rd May, 2023.

10. The encroachments from the area in question shall be removed and the order dated 24th February, 2015 passed by the Division Bench of this Court in *LPA No. 694/2014* be complied with.

11. The MCD is directed to file a Reply/Action Taken Report within a period of four weeks.

12. At request, re-notify on 27th March, 2024.

MINI PUSHKARNA, J

FEBRUARY 21, 2024

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