



\$~41

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12733/2019**
DELHI WAQF BOARD

..... Petitioner

Through: Ms.Zeba Khair, Mr.Afzal S. Shah,
Mr.Mohd. Kasim, Mr.Ahsan Jamal &
Ms.Shaista Siddiqui, Advs.

versus

**ARCHEOLOGICAL DEPARTMENT (GOVT OF NCT OF DELHI)
& ORS.**

..... Respondents

Through: Mr.Ajjay Aroraa & Mr.Kapil Dutta,
Advs. for SDMC.
Mr.Ved Parkash, SHO Mehrauli with
SI Ajit, PS Mehrauli.
Mr.Prakash Gautam, Adv. (for newly
added respondent).

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **03.12.2019**

CM No. 52063/2019 (Exemption)

Allowed, subject to all just exceptions.

WP(C) 12733/2019 & CM 52064/2019

Issue notice. Notice is accepted by Mr.Ajjay Aroraa, Advocate on behalf of the respondent no. 2 and Mr.Ved Parkash, SHO Mehrauli, on behalf of the respondent nos. 4 and 5. Let notice of this petition be issued to the remaining respondents to be served through *dasti* as well, returnable on 2nd March, 2020.



It is the case of the petitioner that the respondent no. 1 was restoring the mosque located opposite Jahaz Mahal, Mehrauli, a Protected Monument under Delhi Waqf Board, situated in Khasra No. 1151/3. It was found by the petitioner that instead certain illegal demolition and construction work has been carried out at the spot by the respondent nos. 6 to 9.

The learned counsel for one Mr. Shashank Bhargava, S/o Shri S.C. Bhargava, R/o D-55, Kalkaji, New Delhi, submits that he is the owner of the land in question and infact, on a Special Leave Petition, being SLP (C) No. 14289/2019 titled ***Bhargava and Associates Pvt. Ltd. & Ors. vs. Union of India & Ors.***, the Supreme Court by an order dated 06.09.2019 directed maintenance of Status Quo.

On an oral prayer made by the learned counsel for the petitioner, Mr. Shashank Bhargava is also added as a party respondent. The counsel for the petitioner shall hand over a copy of the paper book to the counsel appearing for the newly added respondent.

Keeping in view the above submissions, the parties are directed to maintain Status Quo on the above piece of land till the next date of hearing. It is made clear that no further construction/demolition activity shall be permitted in the said land till the next date of hearing. It is further made clear that this order shall not have any effect on the other proceedings that are being carried on with respect to the title of the land.

Counter affidavit be filed within a period of four weeks. Rejoinder, if any, be filed within a period of three weeks thereafter.

Dasti under the signature of the Court Master.

NAVIN CHAWLA, J

DECEMBER 03, 2019/rv