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

+ W.P.(C) 5926/2013 & CM Nos. 13070/2013, 18677/2014, CrI. M. A.17907/2014,
CrI. M. A. 17911/2014 and CrI. M. A. 575-576/2015

FRATERNITY AGAINST CORRUPTION (REG. TRUST) Petitioner

Through : Mr Mahabir Singh, Sr Advocate with
Mr Sanjeev Saroha

versus

DELHI DEVELOPMENT AUTHORITY & ORS Respondents

Through : Ms Shobhana Takiar for DDA.
Mr Raman Duggal for GNCTD.
Mr Deepak Pathak, Advocate for R-10
Mr Amit Kumar for Mr Karunesh
Tandon for DJB
Mr Vikram Jeitly, Advocate for UOI
Ms Biji Rajesh with Mr Anshumaan
Bahadur for MCD

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
06.05.2015

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It is strange that although the DDA as well as the MCD recognize the fact that the properties, which are the subject matter of this writ petition, are all on government land, yet no action for removing the encroachments/ construction thereon has been taken by the said two authorities. The properties in question are property No. 111/9 measuring 2600 sq. yds. at Aruna Asaf Ali Road, property No. 76/9, Plot No. 3 measuring 1400 sq. yds, again at Aruna Asaf Ali Road and property at Khasra No. 1222 measuring 3400 sq. yds. which is also located at Aruna Asaf Ali Road.

Ms Takiar, the learned counsel appearing on behalf of the DDA, states that there are some judicial orders in which injunction has been granted from dispossessing the persons who are encroaching these properties. The learned counsel for the petitioner however submits that, to his knowledge, there are no such injunction orders. Ms Takiar shall place the same on affidavit and indicate the current status of those cases. Insofar as the learned counsel for the South Delhi Municipal Corporation is concerned, she shall indicate clearly in an affidavit as to what action is proposed to be taken, if not already taken, with regard to the unauthorized construction. The said affidavits be filed within two weeks. In case there is no judicial order preventing the said authorities from removing the encroachments/ demolishing the unauthorized construction, they shall do so.

Renotify on 02.09.2015.

BADAR DURREZ AHMED, J

MAY 06, 2015
SR

SANJEEV SACHDEVA, J