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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6969/2018 & CM Appl.Nos. 26397/2018, 27924/2018 & 15334/2019**

MAZDOOR AWAS AND KALYAN SAMITI Petitioner

Through: Choudhary Ali Zia Kabir, Advocate

versus

NORTHERN RAILWAY AND ORS. Respondents

Through: Mr. Om Prakash & Ms. Sudeepti Singh, Advocates for Railways
Mr. Diwankar Sethi for Mr. Gaurang Kanth, Advocates for Respondent No.2/SDMC
Mr. Parvinder Chauhan, Standing counsel for Respondent No.3/DUSIB
Mr. Varun Kalia for Mr. Satyakam, ASC for Respondents No.4 & 5
Mr. Ripu Daman Bhardwaj, CGSC with Mr. T.P.Singh, Advocates for Respondent No.6/UOI

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE I.S.MEHTA

ORDER

% **03.04.2019**

CM Appl.No. 15334/2019

1. This case has been received on transfer from Division Bench-I by order dated 2nd April, 2019.
2. Notice. Mr. Om Prakash, Advocate accepts notice for the Railways.
3. Counsel for the Applicant informs the Court that notwithstanding the judgment of this Court in *Ajay Maken & Ors. vs. Union of India & Ors.* (judgment dated 18th March, 2019) in WP (C) No.11616/2015 the

Respondent/Railways are proceeding with the demolition of the JJ Cluster at Sonia Gandhi Camp, Pul Prahladpur, Delhi-44 and as of the present moment, the Bulldozers are already at the site ready to commence the demolition.

4. Counsel appearing for the DUSIB states that DUSIB is in no way involved in the decision of the Railways on whose land the said JJ cluster is located.

5. In ***Ajay Maken & Ors. vs. Union of India & Ors.*** this Court has held that the Railways are bound by the law declared in this regard in ***Sudama Singh vs. Govt. Of Delhi (2010) 168 DLT 218 (DB)***. The case of the Petitioner/Applicant is that the proposed demolition is being undertaken contrary to the said judgments. In that view of the matter, the Court directs that till the next date, no steps should be taken towards the demolition of any of the dwellings in the JJ Cluster at Sonia Gandhi Camp, Pul Prahlad Pur, Delhi-44. The Bulldozers stationed there should immediately be removed.

6. Learned counsel for the Railways will immediately convey this order to the Railway Officers at the site.

7. The Registrar General of this Court is also directed to convey this order forthwith to the SHO concerned. Counsel appearing for the Delhi Police will also forthwith communicate this order to the SHO for compliance.

8. This order is being passed at 11.50 A.M.

9. List on 29th April, 2019.

10. A copy of this order be given *dasti* to the parties under the signatures of Court Master.

S.MURALIDHAR, J

I.S.MEHTA, J

APRIL 03, 2019

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