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

+ W.P. (C) 4572/2007, CM APPL.8544/07, 6986/10 & 17940/11,
626, 2724, 2801, 3663, 16320, 16453, 16454/2012

W.P. (C) 8580/2009, CM APPL.5656/2009, CM
APPL.8503/2012

W.P. (C) 4572/2007

MANUSHI SANGATHAN, DELHI

..... Petitioner

versus

GOVT OF DELHI AND ORS.

.....Respondents

W.P. (C) 8580/2009

INITIATIVE FOR TRANSPORTATION AND
DEVELOPMENT PROGRAMMES

..... Petitioner

versus

MCD AND ORS.

.....Respondents

Appearance:

Appearance: Ms. Indira Unninarayan with Mr. Narain Krishan,
Advocates for Manushi Sangathan.

Mr. A.S. Chandhioke, Sr. Advocate with Mr. V.K. Tandon, Mr.
Ritesh Kumar, Ms. Mallika Ahluwalia and Ms. Shagoon Gupta,
Advocates for PWD.

Mr. Rajeev Mehra, Sr. Advocate with Mr. Nikhil Sharma,
Advocate for BSES Yamuna Power Ltd.

Mrs. Maninder Acharya, Sr. Advocate with Mr. Ravi Bassi and
Ms. Ishani Das, Advocates for Dharmik Ramlila Committee.

Mr. Sanjiv Ralli with Ms. Sayema Mubin, Advocates for Chandni Chowk Sarv Vayapar Mandal/Intervenor .
Ms. Madhu Tewatia, Advocate for MCD.
Mr. Arun Birbal with Mr. Sanjay Singh, Advocates for DDA.
Mr. A.K. Gautam, Advocate for UOI.
Mr. Manish Kr. Vikkey proxy for Mr. Rajiv Nanda, Additional Standing Counsel for Delhi Police.
Ms. Geetanjali Mohan, Advocate for Railways.
Mr. S.N. Masati, Dy. Commissioner of Police (Traffic/North) with Mr. Ravinder Kumar, ACP (Traffic/North).

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE DR. JUSTICE S. MURALIDHAR

ORDER

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30.04.2015

Chandni Chowk

The Government of NCT of Delhi has furnished a fresh status report according to which revised time lines have been indicated for services line on the northern side of the main road at Chandni Chowk. Though status report mentions that the seven transformers under the control of BSES cannot be shifted, Mr. Rajeeve Mehra, learned Senior counsel appearing for BSES, submits that five of those (four of which are sub-stations) shall be relocated. As regards three other transformers in the south side, the shifting to the town hall

(underground) will be done in all probabilities by 31.05.2015. He states that a responsible officer of the BSES shall file an affidavit by the next date indicating the schedule.

Counsel for the GNCTD submits that the tender for construction of RCC to accommodate these transformers has already been floated. The Government is directed to finalize the award of contract within two weeks and ensure that the construction is completed within three months, to enable the shifting of the transformers. All the authorities are directed to cooperate in the clearances of the project so that the construction is carried out at the earliest.

Encroachments by religious structures

The latest status report states that the clearance of the five unauthorised religious structures on the right of way in Chandni Chowk, i.e., the pedestrian space on the roads, is yet to be undertaken. The decision of the Committee constituted for the purpose is awaited. None of the authorities appearing before the Court dispute that these are encroachments. In this view of the matter, the concerned land owning agency, i.e., the MCD – in the light of the Section 299 of the

DMC Act is hereby directed to remove the said encroachments by the end of May 2015. Government of NCT of Delhi and the Delhi Police shall extend their full cooperation in this regard.

NMV Lanes

The report furnished also mentions the present status with respect to NMV lanes. The Government of NCT of Delhi is hereby directed to place on the record the photographs and the maps of the locations/area where such NMV lanes have been provided.

Parking Facility

Counsel for the North Delhi Municipal Corporation (NDMC) submits that the multi level parking facility at Gandhi Maidan has been cleared by the Commissioner. NDMC shall file an affidavit by the next date indicating the time line for completion of the project.

Dangal Maidan

The affidavit of the Union Ministry of Urban Development states that the requisite Notification under Section 11A for change of land use of the “Dangal Maidan” opposite the Old Delhi Railway Station was issued on 9.4.2015. NDMC is hereby directed to handover the Dangal Maidan to the PWD within 15 days for

commencement of the development of the parking facility. If there are any encroachments on the site, the same shall be cleared.

List on 21st May, 2015 at 03:30 PM.

Order dasti under the signatures of Courtmaster. Order shall be communicated directly to Government of NCT of Delhi, Commissioner, North Delhi Municipal Corporation and Commissioner, Delhi Police, by the Registry.

S. RAVINDRA BHAT, J

S. MURALIDHAR, J

APRIL 30, 2015

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