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

+ W.P.(C) 4302/2015

THE INDIAN NATIONAL TRUST FOR ART & CULTURAL HERITAGE  
(INTACH) & ANR ..... Petitioners

Through: Mr Gourab Banerji, Sr. Adv. with Ms Charu  
Ambwani, Mr S.A. Haseeb, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ORS ..... Respondents

Through: Ms Arti Bansal, Adv. for MCD.

Mr Hashmat Nabi, Adv. with Mr Syed Mehdi, Adv. for  
DWD.

Mr Akshay Makhija, CGSC for R-3(ASI).

Mr Vikas Ahlawat (SDM) Saket and Mr Ashwani Kumar  
Khosla, SHO Mehrauli.

Mr Anuj Aggarwal, ASC GNCTD (Civil) with Mr  
Shudhanshu Gupta, Adv. for Delhi Police.

Mr Arjun Pant, Adv. for DDA.

**CORAM:**

**HON'BLE MR. JUSTICE BADAR DURREZ AHMED**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

% **07.04.2016**

**CM 13116/2016**

This application has been filed by the petitioner complaining of ongoing construction activity adjacent to Kala Mahal Masjid, Ward No.8, which falls within the park in question. The Station House Officer, police station Mehrauli and the SDM Saket who is also representing the SDM Mehrauli are present. The learned counsel for the South Delhi Municipal Corporation as well as the DDA and the Delhi Wakf Board are also present. We are making it absolutely clear that no construction activity can continue within the park in question. Any construction activity which is going on adjacent to the Kala Mahal Masjid has to be stopped forthwith. The Station House Officer of police station Mehrauli shall ensure that this is done immediately. The learned counsel appearing on behalf of



the Delhi Wakf Board shall take instructions as to who is responsible for this construction. Affidavits shall be filed by the Delhi Wakf Board, by the DDA, by the South Delhi Municipal Corporation and on behalf of Station House Officer police station Mehrauli. These affidavits be filed within two weeks. In case any rejoinder affidavit is necessary to these affidavits the same be filed within two weeks thereafter.

Renotify on 18.05.2016 the date on which the main matter is already listed.  
Dasti under the signature of the Court Master.

**BADAR DURREZ AHMED, J**

**SANJEEV SACHDEVA, J**

**APRIL 07, 2016**  
**kb**