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

+ W.P.(C) 4302/2015 & CM Nos. 7796/2015, 9124/2015, 9229/2015, 9230/2015,
10004/2015 & 13078/2015

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

..... Petitioners

Through: Mr Gourab Banerji, Sr. Adv. with Ms. Charu
Ambwani, Advocate

versus

DELHI DEVELOPMENT AUTHORITY & ORS

.... Respondents

Through: Ms Puja Dewan Seth and Mr Uday Sethi,
Advocates for R-2
Mr Akshay Makhija, CGSC for R-3
Mr Peeyoosh Kalra, Adv. with Mr Anuj
Aggarwal, Advocate for R-4 and R-7
Mr Sanjay Jain, ASG with Mr Akshay Makhija,
CGSC and Ms Mahima and Ms Rajul Jain,
Advocates for UOI.
Mr Arjun Pant, Adv. for DDA
Ms Arti Bansal, Addl. Standing Counsel and
Ms Rishika Katyal, advocate for R-5
Mr Robin R. David and Ms Megha Srivastava,
Advocates for R-6
Mr Hashmat, Addl. Standing Counsel for R-
8/Delhi Waqf Board
Mr Atul Kumar Singh, Advocate for Mr
Karunesh Tandon for DJB
Mr Satish Kr. Tripathi, Adv. for applicant in
CM No. 9124/2015

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
28.10.2015

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The Government of NCT of Delhi shall submit the demarcation report along with



the map. They shall also submit the said map with superimposed photograph/map/satellite image of the concerned area so that the exact extent of encroachment can be easily seen. The demarcation which is to be carried out by the Govt. of NCT shall be carried out in the presence of ASI, Delhi Waqf Board, DDA and the petitioners with proper advance notice.

On a preliminary look at the draft map which has been prepared, we find that the entire forest area is more or less well protected on the east and as it is bounded by the Mehrauli-Gurgaon Road. On the north also, there seems to be ample protection because it is bounded by the Qutub Minar and other heritage properties which are under protection of ASI. There seems to be a problem on the southern corner of the said forest where some of the protected monuments are situated. There also appear to be encroachments along the western border of the forest. It is therefore essential that the area is demarcated and is secured possibly by construction of a boundary wall along the southern and western borders.

The demarcation report and map as directed above be furnished before the next date of hearing with advance copies to the concerned counsel. The same shall also be submitted to this Court in digital format in proper resolution.

The learned counsel appearing for Govt. of NCT of Delhi states that the next demarcation exercise is fixed for 05.11.2015 at 11.30 a.m. at the site at Khasra No. 217. The representatives of the parties may be present at the SDM Office at 10.30 a.m. wherefrom they will proceed to the site.

Renotify on 16.12.2015.



Copy of the order be given *dasti* under signature of the Court Master.

BADAR DURREZ AHMED, J

OCTOBER 28, 2015
rs

SANJEEV SACHDEVA, J