

12.10.2007

Present: Mr. Anuj Agarwal, Adv. for the petitioner.  
Mr. Anil K. Paul, Adv. for the respondent

WP (C) No. 7558/2007 & CM No. 14397/2007

Issue notice to show cause as to why rule nisi be not issued.

Mr. Amit K. Paul, Advocate accepts notice on behalf of the respondent/MCD on instructions of Mr. S. P. Singh, Deputy Director Horticulture, (Rohini), New Delhi of the MCD.

Upon the petitioner taking steps within one week issue notice to unserved respondent Nos.2 to 4 returnable on 11<sup>th</sup> April 2008.

Learned counsel for the respondent submits that Municipal Corporation of Delhi has not given any permission for organizing Durga Punja function in the Central Park Block-B, Pocket U & V Shalimar Bagh, Delhi-88.

My attention has been drawn to a noting dated 9<sup>th</sup> December 2005 of the Deputy Director, Horticulture (Rohini) which refers to a decision taken by the petitioner/members of the Resident Welfare

Association by the local Councilor and other concerned that an alternative park constituted in front of flat No. 37-41 in the Block-B, Pocket U & V Shalimar Bagh, New Delhi which is located on a 80 feet wide the main road of the block would be conducive for conducting such functions.

Accordingly, respondent No.1 shall ensure that no function is conducted in the Central Park without its permission. In case the MCD is approached, permission would be considered for conduct of the same in any appropriate place as per applicable policy. The MCD would also take into consideration to the noting dated 09<sup>th</sup> December 2005.

Copy of this order be given dasti under the signature of Court master.

Sd/-  
(GITTA MITTAL)  
JUDGE

October 12, 2007