

# S.N.Bhardwaj Advocate vs Archcological Survey Of India on 24 November, 2022

**Author: Satish Chandra Sharma**

**Bench: Chief Justice, Subramonium Prasad**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 1475/2001

S.N.BHARDWAJ ADVOCATE

Through: Petitioner in - person. ....

versus

ARCHCOLOGICAL SURVEY OF INDIA

Through: Mr. Jitesh Vikram Srivasta  
with Mr. Prajesh Vikram Sr  
Advocate for UOI.  
Mr. Sanjay Katyal, Standin  
for DDA with Mr. Nihal Sin  
Advocate.  
Mr. Anuram Varma, Mr. Nikh  
Sharma, Mr. Aditya Gupta a  
Manu Tiwari, Advocates for  
Mr. Ashish Kumar, Advocate  
Sangeeta Bharti, Standing  
DJB.  
Mr. Rishikesh Kumar, ASC f  
GNCTD with Mr. Aditya Raj,  
Sheenu Priya, Mohammad Zai  
Sudhir, Advocates.  
Mr. Ajjay Aroraa, Standing  
for MCD with Mr. Kapil Dut  
Mr. Anuj Bhargava, Advocat  
Mr. R. B. Singh, Advocate

+ W.P.(C) 11214/2018 & CM APPLs. 44345-46/2022

COURT ON ITS OWN MOTION

Through:

versus

Signature Not Verified

Digitally Signed

By:RAHUL SINGH

Signing Date:28.11.2022

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W.P.(C) 1475/2001 etc.

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

Through: Mr. Kirtiman Singh  
Waize Ali Noor and  
Nandini, Advocate  
Ms. Kanika Agnihotri  
Kavita, Advocates  
Ms. Mehak Nakra,  
and Delhi Police.  
Mr. Ajjay Arora,  
for MCD with Mr.  
Mr. Anuj Bhargava  
Mr. R. B. Singh,  
Mr. Anuj Kumar Garg,  
the Applicant.

CORAM:  
HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD  
ORDER

% 24.11.2022  
1. The instant writ petitions pertain to

encroachments in around and within the historical Tughlaqabad Fort.

2. It is not in dispute that the Archaeological Survey of India (ASI) is in complete control of the area in question. Since various Departments of the State were passing the burden on each other in the matter of removal of encroachments, this Court vide Order dated 17.05.2017 in W.P.(C) 1475/2001 constituted a Committee, comprising various Departments of the State, to survey the area and to take appropriate steps for removal of encroachments.

3. We are in the year 2022 and the learned Counsel appearing for the Archaeological Survey of India (ASI) has expressed his helplessness in removal of encroachments on account of non-cooperation of other Departments of the State.

4. By way of last indulgence, six weeks' time is granted to the Respondents as well as the Committee Members to file a Status Report in the matter.

5. Learned Counsel appearing for MCD has also joined the proceedings through Video Conferencing and submitted that the MCD shall be providing all logistic support to Archaeological Survey of India (ASI).

6. The Counsel for the Respondents also assured this Court that they will also be co-operating in the matter. Learned Counsel appearing for BSES has also assured this Court that it will co-operate in the matter by disconnecting electricity connection before removal of the encroachments.

7. List on 16.01.2023.

8. It is made clear that non-compliance of the Order shall be viewed seriously and this Court shall be passing necessary Orders directing the personal appearance of Head of the Departments and Committee Members to explain the reason as to why the encroachments are not being removed.

SATISH CHANDRA SHARMA, CJ SUBRAMONIUM PRASAD, J NOVEMBER 24, 2022 S. Zakir