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

+ W.P.(C) 67/2023

PRATIMA DEVI

..... Petitioner

Through: Mr. Vaibhav Gaggar, Ms. Monica
Lakhanpal, Ms. Kokila Kumar and Ms. Shivani
Sethi, Advocates

versus

MUNICIPAL CORPORATION OF DELHI & ORS. Respondents

Through: Mr. Siddhant Nath, Standing Counsel for
MCD

Mr. Arun Panwar, Advocate for respondents No.2
and 3

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **04.01.2023**

1. The present matter has been listed by way of Supplementary Cause List.
2. By way of present petition filed under Articles 226 and 227 of the Constitution of India, the petitioner, who claims to be an octogenarian and living in a makeshift temporary shelter behind the *PVR Anupam Complex* in *Saket* for about last 30 years is aggrieved by the fact that the respondent No. 1/MCD has demolished the said shelter without any prior notice. It is further averred that the petitioner while living in the said shelter was also providing care to about more than 200 dogs.
3. Learned counsel for the petitioner submits that the respondent's action in demolishing the shelter is not only against the principles of natural justice but also illegal and unlawful and the same has resulted in leaving the petitioner without a roof over her head in the harsh winter.



4. Issue notice.
5. Learned counsels, as above, accept notice for the respective respondents and seek time to file Reply. Let the same be filed with an advance copy thereof to the other side who may file rejoinder thereto, if any.
6. List on 15.03.2023.

CM APPL. 179/2023

1. Issue notice.
2. Learned counsels, as above, accept notice for the respective respondents.
3. Learned counsel for the petitioner prays that in the meantime, the petitioner be permitted to put a tarpaulin as an interim measure.
4. Keeping in view the facts and circumstances of the case and the contention of the petitioner that the impugned action has been taken by respondent No. 1 without any prior notice, this Court deems it expedient to direct that the respondent shall maintain *status quo* till the next date of hearing and to overcome the immediate need for the shelter, the petitioner shall also be permitted to put a tarpaulin as an interim measure.
5. In the meantime, respondent Nos. 1 and 2, without prejudice to the rights and contentions of either of the parties, shall also explore the possibility of providing for petitioner's rehabilitation.

Order *dasti* under signatures of the Court Master.

MANOJ KUMAR OHRI, J

JANUARY 4, 2023

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