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

+ W.P.(C) 2552/2024 and CM APPL. 10464/2024, CM APPL. 10465/2024

WAQF WELFARE FORUM

..... Petitioner

Through: Mr. Z.U. Khan, Mr. M.N.A. Choudhary, Mr. Md. Mohsin Alam, Mr. Sachin Hitkari, Mr. Sulaiman Mohd. Khan, Ms. Taiba Khan, Mr. Gopeshwar Singh Chander, Mr. Abdul Bari Khan, Advocates

versus

NEW DELHI MUNICIPAL COUNCIL AND ORS Respondents

Through: Mr. Chetan Sharma, ASC, Mr. Kirtiman Singh, CGSC, Mr. Sriharsha Peechara, SC, NDMC with Mr. Amit Gupta, Mr. Vinay Yadav, Ms. Harshita Gupta, Mr. Waize Ali Noor, Mr. Akshat Kulshreshtha, Mr. Shubham Kumar Mishra, Mr. Vikramaditya Singh and Ms. Vidhi Jain, Advocates for NDMC, UOI
Mr. Febin Mathew Varghese, Mr. Dhiraj, Mr. Abraham Philip, Advocates for R-4
Mr. Sanjay Ghose, Senior Advocate with Mrs. Farhat Jahan Rehmani, Mr. Firoz Iqbal Khan, Ms. Farha Naaz, Advocates for R-6/Delhi Waqf Board
Mr. Avishkar Singhvi, Mr. Naved Ahmed, Mr. Vivek Kumar, Mr. Deokinandan Sharma, Advocates for R-8
Mr. Chander Kumar Singh, DCP Traffic with ASI Devender Singh, Parvi Officer Traffic



CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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21.02.2024

CM APPL. 10465/2024 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

W.P.(C) 2552/2024 and CM APPL. 10464/2024

1. Present public interest petition has been filed seeking quashing of the public notice published in the newspaper on 24th December, 2023 issued by the Chief Architect, New Delhi Municipal Council, New Delhi whereby objections and suggestions were invited from the general public with respect to removal of Sunehri Masjid (Grade-III Heritage Building, listed vide Notification dated 01st October, 2009 of GNCTD), under Annexure-II, Clause 1.16 of Unified Building Bye Laws-2016, on account of alleged traffic congestion in the area.
2. It is pertinent to mention that one of the prayers in the present writ petition is for seeking appropriate directions to the Delhi Waqf Board to discharge legal and executive duties to protect Waqf properties as per The Waqf Act, 1995 and Waqf (Amendment) Act, 2013.
3. Learned counsel for the Respondents, who appear on advance notice, state that the petitioner has done a cut and paste job inasmuch as the contentions and submissions advanced in W.P.(C) 16770/2023 filed by the *Imam* of Sunehri Bagh Masjid have been '*lifted*' and incorporated in the present writ petition.



4. Learned senior counsel for the Delhi Waqf Board states that appropriate steps have been taken to protect the waqf property and in W.P.(C) 16770/2023 the Delhi Waqf Board is supporting the Petitioner who happens to be the *Imam* of the Sunehri Bagh Masjid. He further states that due to the pendency of the present writ petition the hearing before the learned Single Judge in W.P.(C) 16770/2023 listed today has been adjourned to 28th February, 2024.
5. Since appropriate measures have already been taken by the Delhi Waqf Board to discharge their legal and executive duties, this Court is of the view that no order is required in the present writ petition.
6. Accordingly, the present writ petition is closed. Pending applications are disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 21, 2024/msh