

IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI

CIVIL CONTEMPT PETITION No. 575 OF 2007

(ARISING OUT OF W.P.(C) No. 244 OF 1999)

IN THE MATTER OF:-

SHRI RAKESH KUMAR  
S/o SHRI NOBAT RAI  
THROUGH HIS ATTORNEY  
SHRI LALIT KUMAR  
S/o LATE SHRI GAURI SHANKAR  
R/o 33/59, BHIKAM SINGH COLONY  
VISHWAS NAGAR  
DELHI-110 032

.....PETITIONER

VERSUS

1. SHRI ASHOK NIGAM  
COMMISSIONER (MCD)  
MUNICIPAL CORPORATION OF DELHI  
TOWN HALL, CHANDINI CHOWK  
DELHI
2. SHRI P.K. PANDEY  
DEPUTY COMMISSIONER (MCD)  
SHAHDARA-SOUTH ZONE  
MUNICIPAL CORPORATION OF DELHI  
KARKARI ROAD, VISHWAS NAGAR  
DELHI-110 032
3. DR. KANWAR SAIN  
CHAIRMAN (MCD)  
SHAHDARA-SOUTH ZONE  
MUNICIPAL CORPORATION OF DELHI  
KARKARI ROAD, VISHWAS NAGAR  
DELHI-110 032

.....RESPONDENTS/  
CONTEMNORS

CIVIL CONTEMPT PETITION UNDER SECTIONS 10, 11 & 12 OF THE  
CONTEMPT OF COURTS ACT READ WITH ARTICLE 215 OF THE  
CONSTITUTION OF INDIA FOR TAKING / INITIATING APPROPRIATE LEGAL  
PROCEEDINGS AGAINST THE CONTEMNORS / RESPONDENTS FOR  
HAVING COMMITTED GROSS AND DELIBERATE CONTEMPT /

*Handwritten signature*

2

DISOBEDIANCE OF THE RESTRAINT ORDERS / DIRECTIONS IN THE JUDGMENT DATED 29<sup>TH</sup> JULY, 2004 AND ORDERS DATED 14.1.1999 & DATED 22.3.2002 PASSED BY THIS HON'BLE COURT IN W.P.(C) No. 244 OF 1999 TITLED "RAKESH KUMAR & OTHERS V/s. D.D.A. & OTHERS".

TO

THE HON'BLE THE CHIEF JUSTICE OF  
HON'BLE DELHI HIGH COURT AND HIS  
HON'BLE COMPANION JUDGES

THE PETITIONER ABOVE-NAMED MOST RESPECTFULLY SHOWETH AS  
UNDER:-

1. That the petitioner alongwith two others filed a Civil Writ Petition [W.P.(C) No. 244 of 1999] titled "Rakesh Kumar & Others Versus D.D.A. & Others" in this Hon'ble Court. The respondents named in the said writ petition were (1). Delhi Development Authority; (2). Municipal Corporation of Delhi; (3). Government of NCT, Delhi; and (4). Deputy Commissioner of Police (East). The crux of the matter in the said writ petition was that the respondents therein harassed the petitioners by illegally attempting to dispossess the petitioners therein from their suit properties falling in Block No. 33, in the area of Village Karkardooma, in the abadi of Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi-110032 and forcibly attempting to demolish the same. This was despite the admitted fact that the name of the said colony "Vishwas Nagar", though an unauthorized colony, finds mentioned in the list of 1071 unauthorized colonies to be regularized by the Govt. of NCT, Delhi and other civic bodies, as per the policy of the government having statutory force. Copies of the site plans, as annexed to the said writ petition are annexed hereto as Annexure: C-1 'Colly.'

ललित शर्मा

3

2. That vide order dated 14.01.1999, Rule was issued and the respondents were restrained from demolishing the properties of the petitioners therein. The order dated 14.01.1999 reads as under:-

"14.01.1999 Present: Mr. A.S. Gambhir for the petitioners.  
Mr. Ashish Kumar for the respondents.

CW.244/99

Rule.

CM.348/99

Notice for the 14<sup>th</sup> of July, 1999.

Mr. Ashish Kumar, Advocate, accepts notice on behalf of the DDA. Counter shall be filed within three weeks.

There shall be an injunction restraining the respondents, their officers, representatives, agents, staff, etc. from demolishing the properties of the petitioners bearing Nos. 56, 57, 58, 60, 61, 62 & 30 in block No. 33, Gali Nos. 8 & 9, Khasra Nos. 2135/201/1, 2151/210, 2149/210, 2884/203/3 in the area of village Karkardooma in the abadi of Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi-32, until further orders.

DASTI.

January 14, 1999

Sd/-  
K. Ramamoorthy  
Judge"

A true copy of the order dated 14.1.1999 is annexed hereto as Annexure C-2.

3. That all the respondents were duly served. Vide order dated 22.3.2002, the interim order passed on 14<sup>th</sup> January, 1999 was made absolute. A true copy of the said order dated 22.3.2002 is annexed hereto as Annexure: C-3.

रजिस्ट्रार शिमला

4

4. That during the course of proceedings in the writ petition, the respondent No.1-DDA filed its counter affidavit on or about 16.7.2001. The other respondents did not file their counter affidavits till then. In the order dated 8.12.2003 passed by this Hon'ble Court in the said writ petition, it was observed, inter alia, thus:-

"08.12.2003

Present: Mr. A.P.S Gambhir, Advocate for the petitioner.  
Mr. Deepak Khadaria, Advocate for respondent No.1.  
Mr. R.K. Yadav, Advocate for respondent No.2.  
Ms. Iram Majid, Advocate for respondent No.4.

CW 244/1999

Rule was issued on 14.01.1999. However,, no affidavit has been filed by respondent 2 and 3. In the affidavit of DDA, it is stated that the land has been acquired but not placed at the disposal of the DDA. Thus the stand of respondents 2 and 3 becomes necessary.

.....  
.....  
.....

List for directions on 4<sup>th</sup> February, 2004.

December 08, 2003

Sd/-  
Sanjay Kishan Kaul, J."

A copy of the said order dated 8.12.2003 is annexed hereto as Annexure: C-4.

5. That sometime in July, 2004, the respondent No. 2 therein, viz. M.C.D. filed its counter affidavit. Relevant paras 3 and 4 of the same are reproduced as under:-

लालित शर्मा

- 5
- "3. I state that the properties of the petitioners are situated in the area which are under the control of the Delhi Development Authority. It has been learnt that the area in question falls under the jurisdiction of DDA. As such the Municipal Corporation of Delhi has nothing to do with the subject matter of the present Writ Petition and no action is warranted on the part of the Municipal Corporation of Delhi.
4. I state that the answering respondent-the Municipal Corporation of Delhi is neither a necessary nor proper party to the present petition and the name of the respondent No.4 is liable to be deleted/struck off."

A copy of the said counter affidavit dated July, 2004 filed on behalf of MCD in W.P.(C) No.244/99 is annexed hereto as Annexure: C-5.

6. That no counter affidavit was filed by respondent No. 3 therein (Govt. of NCT, Delhi), as no copy thereof was served upon the petitioner.

7. That ultimately, vide judgment dated 29.7.2004, this Hon'ble Court was pleased to dispose off the said writ petition. A copy of the said judgment dated 29.7.2004 passed in W.P.(C) No. 244 of 1999 is annexed hereto and marked as Annexure: C-6.

Certain policy guidelines were framed by Union of India regarding proposed regularization of those unauthorized colonies in Delhi. Some of the said relevant guidelines concerning formation of Resident Cooperative Society and applying to the DDA, were extracted in the judgment dated 29.7.2004 itself for the petitioners to comply. Vide communication dated 15.9.2004, the petitioners therein duly informed the DDA and Govt. of NCT, Delhi about the due compliances on their (petitioners') part. A copy of the communication enclosing list of members of the society dated 15.9.2004 with proof of service are annexed

D - D

6

hereto as Annexure: C-7. The petitioner's society again sent a reminder letter dated 29.10.2004 to DDA requesting it to give them a draft Indemnity Bond so as to enable them to furnish the same in compliance of the Court's order dated 29.7.2004. A copy of the reminder letter dated 29.10.2004 by the petitioners' society to DDA alongwith proof of service is annexed hereto as Annexure: C-8. Moreover, in terms of clause 2.1 (a) of the policy guidelines (as reproduced in para 5 of the judgment dated 29.7.2004), it was incumbent upon the local body/ DDA to first provide the base map of the unauthorized colony to the Resident Society. Till date, no such base map has been provided by the DDA/local body.

It is submitted that the petitioner did not raise any further construction on the suit property than what was already in existence at the time of filing of the writ petition. Status quo was maintained by the petitioner throughout.

8. That in due course the Resident Welfare Association Bhikam Singh Colony Vishwas Nagar, Shahdara was duly registered under the Society Registration Act, 1860. A copy of the Registration Certificate No. S/50423/2004 dated 26.9.2004 is annexed hereto as Annexure: C-9.

The said Resident Welfare Association and individuals residents have even been assessed to Property Tax by MCD. Copies of the Property Tax Receipts issued by MCD in favour of the said Resident Welfare Association and also in favour of individuals are annexed hereto as Annexure: C-10 'Colly.'

ललित शर्मा

9. That thereafter the said Resident Welfare Association also applied for regularization of the unauthorized colony in question alongwith the necessary documents, such as site plans etc., to the Govt. of NCT, Delhi. vide Acknowledgement Receipt dated 31.12.2004 issued by Govt. of NCT, Delhi. A copy of the said Acknowledgement Receipt dated 31.12.2004 issued by Govt. of NCT, Delhi and the site plans are annexed hereto as Annexure: C-11 'Colly.'

10. That even in the record of the DDA and MCD, the specific name of the Bhikam Singh Colony, Block No.33, Vishwas Nagar, Shahdara finds mention in the List of Unauthorized colonies to be regularized at serial Nos. 145 & 146. A relevant extract of the said List of DDA/MCD is annexed as Annexure: C-12.

11. That, as late as March, 2007 even the Central Government (UOI) clearly stated in para 5 of its Counter Affidavit filed in W.P.(C) No. 2112 of 2002 titled :Wazirpur Bartan Nirmata Sangh V/s. UOI & Others" in this Hon'ble Court thus:

"5. That further it is also humbly submitted that any action to demolish or remove properties falling in such unauthorized colonies that may be eligible for regularization in terms of the policy decision taken by the Union Government, at this stage would result in irreparable loss and hardship to the residents of such colonies."

A copy of the said Counter Affidavit dated March, 2007 filed on behalf of UOI in W.P.(C) No. 2112 of 2002 titled :Wazirpur Bartan Nirmata Sangh V/s. UOI & Others" in this Hon'ble Court, is annexed hereto as Annexure: C-13.

लालि त शर्मा

8

12. That despite afore-mentioned stands of the MCD, UOI, Govt. of NCT, Delhi and various restraint orders/judgments passed by this Hon'ble Court, all of a sudden and without any prior notice on 16<sup>th</sup> July, 2007 at about 11:00 AM, large number of labourers numbering about 150 alongwith 3 Trucks (bearing Registration Nos. DL1GB 3353, DL1GB 3354, & DL1GB 2880), 1 JCB Machine/Bulldozer (bearing Registration No. DL1M 0108) and other demolition tools, under the direct control and supervision of Contemnor/ Respondent No.3- Mr. Kanwar Sain and some other officers/staff of Municipal Corporation of Delhi numbering about 5-6 coupled with large number of police force, came to the site in question and without any warning commenced full-scale demolition of the structures standing on the petitioner's suit property. Demolition action of some neighboring properties in the vicinity was also carried out. The structures standing on the suit property were completely razed to the ground and flattened and the property was leveled. All the belongings of the petitioners and his family/occupants were also damaged and/or buried under the rubble. Entire demolition action was finished in a matter of less than 2 hours. Said Contemnor/ Respondent No.3 and the said officers/staff of MCD were present at the site throughout the entire action of demolition and personally supervised the same.

Except the Contemnor/Respondent No.3, the said remaining officers/staff present at site on behalf of the MCD did not disclose their identity, but only declared that they have clear orders from the Contemnor/Respondent No.1- Commissioner, MCD and Contemnor/Respondent No.2-Deputy Commissioner, MCD (Shahdara South Zone) to carry out the demolition action. But no such alleged orders/directions were shown or produced by them despite demand. On

महिला 2/1/07



9

the contrary, said Contemnor/Respondent No.3 and the officers/staff of the MCD present there were even shown the copies of the stay orders dated 14.1.1999, 22.3.2002 and the judgment dated 29.7.2004 passed by this Hon'ble Court in the W.P.(C) No. 244 of 1999. Even a copy of the counter affidavit filed by MCD was also shown to them wherein it was clearly stated that MCD has nothing to do with the suit property and the entire area was in the control of DDA. But to no avail. Despite specific query, they did not inform as how and when the area in question was transferred by DDA to MCD for any development. They clearly declared that since they have the orders of demolition from their higher ups, they will not look at any court or its orders and the action of demolition shall be fully carried out come what may. No amount of reasoning could deter the Contemnor/Respondent No.3, the officers/staff and the work force of the MCD from carrying out demolition. It was as if all hell broke loose and there was nobody who could listen to any logic or reasons. MCD was showing its might that it is above law and the courts. It was openly declared by said Contemnor/Respondent No.3 and the officers/staff of the MCD and the police that if anybody tried to interfere in their demolition action, he will not be spared and will be immediately arrested and put behind the bars.

13. That it is submitted that after carrying out the totally illegal, unauthorized, forceful and blatantly contemptuous demolition of the suit property, the Contemnor/Respondent No.3, other officers/staff of MCD, and their labourers/workforce left the site. Soon thereafter, the petitioner through his duly constituted attorney, his family members/other occupants re-occupied and re-possessioned the suit property and are very much in actual physical possession of the same.

ललित शर्मा

14. That by committing such actions, all the Contemnors/Respondents named herein, including the other officers/staff/workforce of MCD have not only taken law into their own hands but also blatantly committed gross, willful disobedience and deliberate contempt of the orders/judgment of this Hon'ble Court. All these Contemnors/Respondents and other concerned officers/staff of MCD have shown scant respect for law, this Hon'ble Court or for its orders/judgment.

Thus, all these Contemnors/Respondents and other concerned officers/staff of MCD are, directly and/or vicariously liable for committing willful disobedience, deliberate and gross contempt of the restraint orders dated 14.1.1999, 22.3.2002 and judgment dated 29.7.2004 passed by this Hon'ble Court in W.P.(C) No. 244 of 1999 to the express knowledge of MCD. All these Contemnors/Respondents and other concerned officers/staff of MCD were very much aware about the restraint orders and judgment (supra). Firstly, MCD was a party in the W.P.(C) No. 244 of 1999 and participated in the proceedings and even filed its counter affidavit, as aforesaid. Secondly, even before the commencement of the demolition action on 16<sup>th</sup> July, 2007 at the site, the Contemnor/Respondent No.3 and other concerned officers/staff of MCD present there were specifically shown the copies of the restraint orders, judgment and MCD's own counter affidavit. But to no avail.

15. That besides committing contempt, all these Contemnors/Respondents and other concerned officers/staff/workforce of MCD have also committed offence of criminal trespass over the petitioners' suit property besides illegal and forceful demolition of the petitioners' structures on the suit property causing extensive loss


लाला नरेश

| |

and damage to the petitioner. These offences are punishable under Indian Penal Code and other penal legislations. Despite repeated attempts made by the petitioner through his attorney, yet, the police have flatly refused and neglected to register any complaint/FIR against these Respondents/Contemnors and other concerned officers/staff of MCD in respect of the impugned acts of commission of various offences. Obviously, the police is also acting in a partisan manner. Thus, the petitioner, his family members/other occupants also reserve his right to take suitable stringent actions, including claim for damages for the loss, inconvenience, harassment, torture and agony caused by these Contemnors/ Respondents and other concerned officers/staff of MCD.

16. That it may not be out of place to refer here to a news report which appeared in Newspaper dated 20<sup>th</sup> July, 2007 to the effect that the Lt. Governor, Delhi has issued clear directions to the civic bodies to not to carry out any demolition action in those unauthorized colonies whose site plans have already been sent to the Government for their regularization. Further, it was also directed by the Lt. Governor, Delhi that during Monsoon season, even the Jhuggi-Jhompri Bastis (JJ Colonies) be also not demolished. Heads of various civic bodies were personally present in the said meeting with the Lt. Governor. Copies of the cutting of the Newspapers dated 20.7.2007 are annexed hereto as Annexure: C-14.

17. That the present petition is being filed by the petitioner through his duly constituted Special Attorney, namely Shri Lalit Kumar, who is authorized to sign, verify, institute and prosecute the present petition. A copy of the Special Power of Attorney is annexed hereto as Annexure: C-15.



18. That the present petition is being filed bonafide and in the interest of justice.

**PRAYER**

In view of above and in the interest of justice, it is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

(i). Take cognizance of the facts disclosed in the present petition and take/initiate appropriate legal action against all these Contemnors/Respondents and other concerned officers/staff of MCD for having committed gross, willful and deliberate contempt/disobedience of the stay orders dated 14.1.1999 and 22.3.2002 and judgment dated 29.7.2004 passed by this Hon'ble Court in W.P.(C) No. 244 of 1999 titled "Rakesh Kumar & Others V/s. D.D.A. and Others" and commit these Contemnors/Respondents and other concerned officers/staff of MCD to civil prison, as per law.

(ii). Direct these Contemnors/Respondents and other concerned officers/staff of MCD to not to dispossess the petitioner and/or his family members/other occupants from the suit property and not to fence or erect any boundary wall around the suit property and eventually restore the status quo ante.

ललितानी

13

(iii). Pass such other and further orders in favour of the petitioner which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

ललित शर्मा  
Petitioner

Through

New Delhi  
Dated:

Amrit Pal S. Gambhir  
Advocate  
# 439, Lawyers' Chambers  
Delhi High Court  
New Delhi - 110 003

C.

IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI

CIVIL CONTEMPT PETITION No. 575 OF 2007  
(ARISING OUT OF W.P.(C) No. 244 OF 1999)

MEMO OF PARTIES

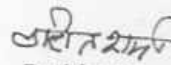
SHRI RAKESH KUMAR  
S/o SHRI NOBAT RAI  
THROUGH HIS ATTORNEY  
SHRI LALIT KUMAR  
S/o LATE SHRI GAURI SHANKAR  
R/o 33/59, BHIKAM SINGH COLONY  
VISHWAS NAGAR  
DELHI-110 032

.....PETITIONER

VERSUS

1. SHRI ASHOK NIGAM  
COMMISSIONER (MCD)  
MUNICIPAL CORPORATION OF DELHI  
TOWN HALL, CHANDINI CHOWK  
DELHI
2. SHRI P.K. PANDEY  
DEPUTY COMMISSIONER (MCD)  
SHAHDARA-SOUTH ZONE  
MUNICIPAL CORPORATION OF DELHI  
KARKARI ROAD, VISHWAS NAGAR  
DELHI-110 032
3. DR. KANWAR SAIN  
CHAIRMAN (MCD)  
SHAHDARA-SOUTH ZONE  
MUNICIPAL CORPORATION OF DELHI  
KARKARI ROAD, VISHWAS NAGAR  
DELHI-110 032

.....RESPONDENTS/  
CONTEMNORS

  
Petitioner

Through

Amrit Pal S. Gambhir  
Advocate  
# 439, Lawyers' Chambers  
Delhi High Court  
New Delhi - 110 003

New Delhi

Dated: 31/10/02

47

% 05.10.2007

For Private Use  
Examiner Judicial Department  
High Court of Delhi

Present : Mr. Amrit Pal S. Gambhir, counsel for the petitioner

+ Cont. Cas(C) No.575/2007  
\*

Counsel for the petitioner heard. It is alleged by counsel for the petitioner that the respondents have disobeyed the orders of this Court by demolishing properties of the petitioners bearing Nos. 56, 57, 58, 60, 61, 62 and 30 in block No. 33, Gali Nos. 8 and 9, Khasra Nos. 2135/201/1, 2151/210, 2149/210, 2884/203/3 in the area of village Karkardooma in the abadi of Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi - 32.

Issue notice to the respondents, on filing of process fee and registered A.D. Covers, to show cause as to why the contempt of court proceedings be not initiated against them, returnable on 7<sup>th</sup> January, 2008.

October 05, 2007  
dc

J.M. MALIK, J.

HIGH COURT OF DELHI AT  
NEW DELHI  
Cont. Cas. (C) No. 575/07  
Rakesh  
VERSUS  
Ashok Nigam  
PETITIONER  
APPELLANT(S)  
RESPONDENT

RECEIVED DATA  
TRUE COPY

Certified to be True Copy

Examiner Judicial Department  
High Court of Delhi  
Authorized Under Section 76

9

3. Further, in compliance of para 8(ii) of the order, the said society has got prepared a Layout Plan of the colony in question. A copy thereof is enclosed for your record. The requisite format of the Indemnity Bond may kindly be made available to the society, so that the same can be duly furnished to you. The society is very much ready and willing to indemnify the DDA & the Government of NCT, Delhi, as per para 5 [2.1(c)] of the order dated 29.7.2004.

4. In compliance of last para of the order dated 29.7.2004, the petitioners in the captioned writ petition also submit that they are maintaining status quo in respect of their respective suit properties and they further undertake that they shall continue to maintain the status quo in respect thereof.

5. Now, in terms of para 8(iv) of the order dated 29.7.2004, it is, therefore, humbly requested that Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi be regularized as per the policy decision under intimation to the society. You are, further requested to inform the society in case any formality of any nature is to be done/carried out for the said purpose of regularization of the colony in question.

Enclosures: As above.

Yours truly,

For Residence Welfare Society  
Bhikam Singh Colony, Vishwas Nagar  
Shahdara  
Delhi



8

1. The Vice-Chairman  
Delhi Development Authority  
I.N.A., Vikas Sadan  
New Delhi

15.9.2004

2. The Chief Secretary  
Govt. of NCT, Delhi  
Delhi

Subject:- Compliance of order dated 29.7.2004 passed by Hon'ble Delhi High Court in W.P.(C) No.244/1999 titled "Rakesh Kumar & Others V/s. D.D.A. & Others" regarding Regularization of Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi.

---

Sirs,

1. The Petitioners filed the captioned civil writ petition before Hon'ble Delhi High Court. Vide judgement/order dated 29.7.2004, the said writ petition was disposed off with certain directions, as contained in the order. A copy of the order is enclosed for your ready reference, which is self explanatory.

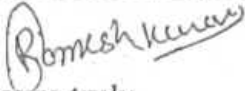
2. In compliance of directions contained in para 8(i) of the said order, the petitioners have formed a society of various bonafide residents of the said colony, namely, Residence Welfare Society, Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi. The said Resident Welfare Society has even duly applied for its registration under Society Registration Act, 1860 with the Registrar of Society, CPO Building, Kashmere Gate, Delhi-6 on 20.8.2004. A copy of the said application dated 20.8.2004 (duly acknowledged) alongwith the list of members are enclosed. The registration is under process.

3. Further, in compliance of para 8(ii) of the order, the said society has got prepared a Layout Plan of the colony in question. A copy thereof is enclosed for your record. The requisite format of the Indemnity Bond may kindly be made available to the society, so that the same can be duly furnished to you. The society is very much ready and willing to indemnify the DDA & the Government of NCT, Delhi, as per para 5 [2.1(c)] of the order dated 29.7.2004.

4. In compliance of last para of the order dated 29.7.2004, the petitioners in the captioned writ petition also submit that they are maintaining status quo in respect of their respective suit properties and they further undertake that they shall continue to maintain the status quo in respect thereof.

5. Now, in terms of para 8(iv) of the order dated 29.7.2004, it is, therefore, humbly requested that Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi be regularized as per the policy decision under intimation to the society. You are, further requested to inform the society in case any formality of any nature is to be done/carried out for the said purpose of regularization of the colony in question.

Enclosures: As above.

  
Yours truly,

For Residence Welfare Society  
Bhikam Singh Colony, Vishwas Nagar  
Shahdara  
Delhi

7

1. The Vice-Chairman  
Delhi Development Authority  
I.N.A., Vikas Sadan  
New Delhi

15.9.2004

2. The Chief Secretary  
Govt. of NCT, Delhi  
Delhi



Subject:- Compliance of order dated 29.7.2004 passed by Hon'ble Delhi High Court in W.P.(C) No.244/1999 titled "Rakesh Kumar & Others V/s. D.D.A. & Others" regarding Regularization of Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi.

Sirs,

1. The Petitioners filed the captioned civil writ petition before Hon'ble Delhi High Court. Vide judgement/order dated 29.7.2004, the said writ petition was disposed off with certain directions, as contained in the order. A copy of the order is enclosed for your ready reference, which is self explanatory.

2. In compliance of directions contained in para 8(i) of the said order, the petitioners have formed a society of various bonafide residents of the said colony, namely, Residence Welfare Society, Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi. The said Resident Welfare Society has even duly applied for its registration under Society Registration Act, 1860 with the Registrar of Society, CPO Building, Kashmere Gate, Delhi-6 on 20.8.2004. A copy of the said application dated 20.8.2004 (duly acknowledged) alongwith the list of members are enclosed. The registration is under process.

*dates*

73  
95 b

(vi) Petitioners are also directed to maintain status quo in respect of their respective plots. Undertaking to that effect would be filed by the petitioners before the DDA within 3 weeks from today.

July 29, 2004  
pu

*sd/-*  
PRADEEP NANDRAJOG,

TRUE  
*[Signature]*

*[Signature]*  
Examined to be True  
Examiner Judicial Department  
High Court of Delhi  
Authorized Under Section 19  
Indian Evidence Act

72  
94  
6

colony from a registered architect/town planner showing plot sizes, built up/vacant portions and provisions required for infrastructure service/ community facilities and submit the report to the Government of NCT, Delhi, as well as DDA within 8 weeks from today.

- (iii) The society shall submit the particulars, undertakings and indemnity bonds as per regularisation policy along with the lay out plans.
- (iv) On the society complying with conditions 1, 2 and 3 above respondents shall proceed to consider the regularisation of Bhikam Singh Colony, Vishwas Nagar, Shahdara in terms of the policy decision and shall take necessary decision within 6 months from today.
- (v) Till respondents take a decision, respondent would not take any precipitation action for demolition or possession of any plot in Bhikam Singh Colony, Vishwas Nagar, Shahdara, save and accept, any land required, as per the policy of regularisation. This would be subject to the condition that resident society is formed and a lay out is submitted to the Govt. off NCT of Delhi/DDA along with the requisite undertakings and Indemnity bond within 8 weeks from today.

ATTESTED  
Minister Judicial Department  
High Court of Delhi

93 H  
5  
concerned departments on the base provided by the concerned local body/DDA.

7. Clause 4.3 of guidelines stipulates as under:-

4.3 The Resident Society will be required to furnish the following at the time of the submission of the lay out plans:-

(i) That, they will abide by the lay out plans to be approved/regularized by the concerned local body as per development control norms, decided for the purpose.

(ii) The processing fees and other related charges are to be paid by the society to the concerned local body/DDA.

(iii) The Resident Society of the unauthorized colonies would ensure that the provision of the services and land for essential infrastructure and community facilities like roads, parks etc. are made available. In colonies where such land is not made available the colony would have to manage without provisions of such facilities.

(iv) The list of the owners/occupants.

(v) Indemnity Bond."

8. Writ petition is accordingly disposed of with the following directions:-

(i) Residents of Bhikam Singh Colony, Vishwas Nagar, Shahdara would form a cooperative society to liaison with the concerned local authority of DDA within 6 weeks from today.

(ii) The said society will get prepared a lay out plan of the

ATTESTED  
Examiner Judicial Department  
High Court of Delhi

92  
70  
4

2.1 Layout plans, land cost, penalty

(a) The base map of the unauthorized colony will be provided by the local body/DDA to the Resident Society who will fix up the boundary on the plan and also get prepared the layout plan of the colony from a registered Architect - Town Planner. This layout plan would clearly show plot sizes, built up/vacant portions and provisions required for infrastructure services/ community facilities. The requirement of infrastructure services/community facilities will be assessed in consultation with the local body/DDA. The Resident society would then undertake developmental works of services as per the approved services plan of the colony and on completion of same would apply for regularization to the concerned local body/DDA.

(b) Along with the layout plan, the resident society shall be required to submit the following:-

(i) Complete list of members with plot Nos. and area in the resident society.

(ii) Bond indemnifying the local body/DDA in respect of all necessary measures for retrofitting against the seismic requirement & for structural stability of the building etc.

6. Clause 4.1 and 4.2 of guidelines stipulates as under:-

Registration of Residents' Co-operative Society

4.1 The formation of Resident Co-operative society in each unauthorized colony to liaison with the concerned local body/DDA in various matters would be pre-condition for considering the case for regularization.

4.2 The Resident Society will prepare the lay out/services plan in consultation with the

ATTESTED  
Executive Judicial Department  
High Court of Delhi



dates

91.69

20

3. Regularisation policy of the Government was challenged in this court in a public interest litigation which was finally disposed of by this Court taking on record the guidelines framed by the Government under which it was considering the colonies for regularisation. The said petition was WP(C) 4771/93, Common Cause Vs. Union of India.

4. Union of India has since finalised the revised guidelines on the basis of which cases of unauthorized colonies in Delhi would be considered for regularisation.

5. Guide-lines framed, to which regularisation has to be effected stipulate as under:-

1.5 In each colony it will be necessary to establish a Registered Residents co-operative Society (henceforth called Resident Society) for coordination, preparation of layout & services plans, execution of development work and for liaison with the concerned local body/DDA in respect of various issues pertaining to the regularization process.

1.6 The Resident society of the unauthorized colony would take up works for provisions of infrastructure services like road, drains, sewerage, water supply etc. Besides, these infrastructure facilities, the Resident Society would also make available land to the extent of 15% of the area of the colony for providing other community facilities i.e. parks, community halls, schools etc. This land would be transferred in the name of local body/DDA. In such colonies where land cannot be made available by the Society for community facilities the colony would have to manage without provisions of such facilities.

ATTESTED  
Examiner Judicial Department  
High Court of Delhi



IN THE HIGH COURT OF DELHI AT NEW DELHI

WP(C) No.244/1999

# Rakesh Kumar & ors. .... Petitioner  
! through: Mr.A.P.S.Gambhir, Advocate.

VERSUS

\$ D.D.A. & Ors. .... Respondent  
^ through: Mr.Deepak Khadaria for R-1.  
Mr.Sanjay Poddar for R-4.

% DATE OF DECISION: 29-07-2004

CORAM:

Hon'ble Mr.Justice Pradeep Nandrajog

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether judgment should be reported in Digest?

: **PRADEEP NANDRAJOG, J.(ORAL)**

1. Rule was issued on 14.1.1999. The matter has been heard for final disposal.

2. Grievance of the petitioners is that Bhikam Singh Colony, Vishwas Nagar, Shahdara, Delhi is an unauthorised colony and is covered by the decision of the Government to regularise the same.

FILED  
JUL 30 2004  
JUDICIAL DEPARTMENT  
H.C. COURT OF DELHI

ANN/P-65

89 50 67 1  
Judicial Department  
Court of Delhi

IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI  
(EXTRAORDINARY CIVIL WRIT JURISDICTION)

C.W. No. 247 of 1999

MEMO OF PARTIES

1. SHRI RAKESH KUMAR  
S/O SH.NOBAT RAI  
R/O H.NO.17/169-A  
VISHWAS NAGAR,  
SHAHDARA, DELHI-32
2. SHRI SATVEER  
S/O SH.GAJRAJ SINGH  
R/O H.NO.30/82, GALI NO.15  
BHIKAM SINGH COLONY  
VISHWAS NAGAR  
SHAHDARA, DELHI-32
3. SHRI AMAR SINGH  
S/O SH.MANGAT RAM  
R/O H.NO.33/14  
BHIKAM SINGH COLONY  
VISHWAS NAGAR  
SHAHDARA, DELHI-32



..... PETITIONERS

VERSUS

1. DELHI DEVELOPMENT AUTHORITY  
THROUGH ITS VICE-CHAIRMAN  
VIKAS SADAN, I.N.A MARKET,  
NEW DELHI
2. MUNICIPAL CORPORATION OF DELHI  
THROUGH ITS COMMISSIONER,  
TOWN HALL, CHANDNI CHOWK, DELHI
3. GOVERNMENT OF NATIONAL CAPITAL  
TERRITORY OF DELHI  
THROUGH ITS CHIEF SECRETARY,  
OLD SECRETARIAT, DELHI
4. DEPUTY COMMISSIONER OF POLICE  
(EAST), SHALIMAR PARK  
SHAHDARA, DELHI-32



13/1/99

..... RESPONDENTS

Petitioners

Through

Amrit Pal S.Gambhir  
Advocate  
Computer Code No.G-19  
13-A/6. W.E.A., Karol Bagh  
New Delhi - 110 005

Judicial Department  
Court of Delhi  
Under Section 17  
Evidence Act  
NEW DELHI

DATED: 11.1.1999



13/1/99

# INFORMATION IN RESPECT TO THE PROPERTY OWNER OF UNAUTHORIZED COLONY

S.No	Name & Father's Name	Address	Plot area ( Sqmts)
1	Ganga Prasad S/o Sunder	33/62 Bhikam Singh Colony Vishwas Nagar , Delhi 32	( 5 to 13) 5(50.16) 6(100.3) 7 (50.16)
2	kumar Sen S/o Munshi Ram		8 to 10 (250.8)
3	Smt Shanta Devi W/o Ravinder	Primary School	11 (100.3)
4	Chattarpai	Park	12(50.16)
5	Smt Billo W/o SH Mazid		13(50.16)
6	Smt Khursheed		
7	Lalit Kumar S/o Lt Sh Gauri Shanker	33/56 to 58 , Bhikam Singh colony Shahdra Delhi 32	14(50.16) 15(100.3) 16(50.16)
8	Naresh S/o Munishi Ram		21(50.16)
9	Vijaya Kumar S/o Late Sh Gera Lal		22(50.16)
10	Pana Lal S/o Late Bani Ram		17(50.16)
11	Satvir S/o Gajraj	30/60-61 Bhikam Singh Colony Shahdra Delhi 32	18(50.16) 19(100.3) 20(50.16)
12	Baldev S/o Nanu Singh		23(50.16)
13	Babu Lal		24(50.16)
14	Smt Anukhi Devi W/o Late Sh Mobat Ram		1& 2 (41.8 sqm each) (83.61sqmt)
15	Satvir S/o Sh Gajraj Singh	33/30 Bhikam Singh Colony Shahdra Delhi 32	3 (41.8)
16	Amar Singh		4(41.8)
17	Smt Shanti Devi w/o late Sh budh Sen		
18	Smt Shanta Devi w/o Ravinder Kumar		

*Nan Singh*  
Resident Welfare Association  
Bhikam Singh Colony  
Shahdra Delhi  
32  
(President)

# भारतीय गैर न्यायिक

दस



TEN  
RUPEES

Rs.10

INDIA NON JUDICIAL

## UNDERTAKING

दिल्ली DELHI 144A 404130  
Nain Singh, President of Residents Welfare Association, Bhikam Singh Colony Vishwas Nagar, (Regn no 50423 /2004) having its registered office at block no 33/60 Bhikam Singh Colony Vishwas Nagar, Shahdara Delhi -32. do hereby for and on behalf of above said Association solemnly affirm and undertake :-

1. That the Managing Committee of Residents Welfare Association, Bhikam Singh Colony Vishwas Nagar, has unanimously authorized me to sign the undertaking.
2. That we are submitting required layout plans of our colony prepared and duly signed by Urban Planner and Architect on given scales for the regularization of our colony by Govt of NCT, Delhi.
3. That the society undertakes to abide by the approved Lay out plan and service plan of the colony by the Urban Development Department Delhi Govt, may be with conditions or without conditions.
4. That Society undertakes to make available required land free of cost to the DDA, MCD or NDMC as the case may be for providing civic amenities, roads and community services as per the government norms of development.
5. That the Society undertakes to handover the required land to DDA or the concerned Government Department free of Cost wherever marked / identified by the said department for common services, roads, parks and parking.
6. That the society undertakes to pay the development charges for the provision of electricity, water, sewage and drainage or any other charges as may be levied by DDA or by the concerned department.



*Nain Singh*  
Deponent

28 DEC 2007

VERIFICATION - Verified at Delhi on ..... day of Dec 2007 that the contents of the above affidavit are true and correct to best of my knowledge and belief.

ATTESTED

*[Signature]*  
Notary Public, Delhi  
(Govt. of India)  
Regd. No. 1489

28 DEC 2007

Residents Welfare Association  
Bhikam Singh Colony  
Shahdara Delhi  
NAIN SINGH  
(President)

*Nain Singh*  
Deponent



दिल्ली DELHI

INDEMNITY BOND

E 085608

This Indemnity Bond is made on this.....day of December 2007 by Sh Nain Singh, President of Residents Welfare Association, Bhikam Singh Colony Vishwas Nagar, ( Regn no 50423 /2004 ) having its registered office at block no 33/60 Bhikam Singh Colony Vishwas Nagar, Shahdara Delhi -32. The Managing Committee of the Association has unanimously authorized him to sign the bond.

I do hereby, for and on behalf of Residents Welfare Association, Bhikam Singh Colony Vishwas Nagar, undertake to indemnify and save the Government of NCT Delhi against the following losses, damages caused to properties in our colony/colonies covered by our association.

1. That in response to Government's public notice, we are applying and submitting layout plans and other related documents of our colony to Urban Development Department of NCT of Delhi for regularization of our colony

2. That we undertake to save and indemnify the Government of NCT Delhi against any loss or damage caused to our colony in the course of development due to natural hazards or soil conditions or due to any other reasons beyond its control.

IN WITNESS WHEREOF this indemnity bond is executed by the executants on this date, month and year first above written in the presence of following witnesses

WITNESSES

1. LALIT SHARMA S/O LATE SH GAURI  
SHANKAR SHARMA R/O 4/1484  
MOHALLA DHALHAI, SHANDARA  
DELHI - 110032.

2. SH. SHIV KUMAR S/O LATE SH OM PRAKASH  
R/O 502E/8 GALI NO.-8, VISHWAS NAGAR  
DELHI - 110032.

*Nain Singh*  
President Welfare Association  
Bhikam Singh Colony  
Shahdara Delhi  
NAIN SINGH  
(President)

ATTESTED

Notary Public, Delhi  
(Govt. of India)  
Regd. No. 1489

28 DEC 2007



# CERTIFICATE OF REGISTRATION



सत्यमेव जयते

## SOCIETIES REGISTRATION ACT, (XXI) OF 1860

Registration No. SI/50423 /2004

I certify that RESIDENCE WELFARE ASSOCIATION  
BHIKAM SINGH COLONY VISHWAS NAGAR, SHAHDARA  
DELHI located at  
Block No. 33/60, Bhikam Singh Colony, Vishwas Nagar  
Shahdara, Delhi

has been registered under Societies Registration  
Act – XXI of 1860.

Given under my hand at Delhi on this 26<sup>th</sup> day of  
September, Two thousand Four.



*Nam Singh*  
Bhikam Singh Colony  
Shahdara Delhi  
NAM SINGH  
(President)

*Rashmi Krishnan*  
( RASHMI KRISHNAN )  
Registrar of Societies  
Govt. of NCT of Delhi

755

GOVT. OF NCT OF DELHI  
URBAN DEVELOPMENT DEPARTMENT  
( UNAUTHORISED COLONIES CELL )  
9TH LEVEL, 'C' WING DELHI SECRETARIAT,  
I.P. ESTATE : NEW DELHI.

Acknowledgement receipt

Application for regularisation of unauthorised colony named

...Bhikem Singh Colony, Block no. 33.....

...Mehra Nagar, Shahdara, Delhi - 32.....

has been received from Sh. ....Nayan Singh.....


on behalf of RWA alongwith site plan and details of property owners.

APPLICATION NO.

DATED : 31/12/04

No 00755

  
( SIGNATURE )

  
Resident Welfare Association  
Bhikem Singh Colony  
Shahdara Delhi  
Nayan Singh  
(President)

3. The Secretary advised the committee that in response to our application already filed for regularization of colony, the Government has included the name of our colony at Sr No- 755 in the list of Colonies to be approved which is considered a grand success and achievement of the efforts of the society. All the members of committee appreciated the efforts of the office bearers

4. The secretary advised the committee that there are some more documents and undertakings which are to be executed for filing of Society's application with the Government. It was unanimously approved to authorize President and secretary to execute all the necessary documents which may be needed for the purpose and complete all the related formalities..

5 The Secretary proposed to pass the resolution to give thanks to the chair which was unanimously approved and the meeting ended with vote of thanks to Sh Nayan Singh

Resident Welfare Association

Bhikem Singh Colony

Shahdara Delhi

Nayan Singh  
(President)  
President

Dupkani  
Secretary

21/7/18

21/7/18

राजु दीन

प-17912



Minutes of meeting – Residents Welfare Association , Bhikam Singh Colony , Vishwas Nagar , Shahdara , Delhi -110032 ( Regn no - 50423 / 2004)

Copy of resolution of managing committee of Resident Welfare Association , Bhikam Singh Colony , Vishwas Nagar , Shahdara , Delhi -110032 , passed / approved by Managing Committee in its meeting held on 25/11/2007.


Meeting of Managing Committee of Resident Welfare Association , Bhikam Singh Colony , Vishwas Nagar , Delhi 110032 held on 25/11/2007 at 11:00 am at the office of Society at Bhikam Singh Colony under the chairmanship of Sh Nain Singh, President of Society to discuss and approve the following agenda which has already been notified to members :-

1. To Discuss and consider the steps taken by the President and other office bearers in response to the advertisement given by the Urban Development Department , National Capital Region , Delhi Government in all the leading dailies on 04/11/2007 in regard to completion of formalities for regularization of colonies.

The President explained to the Committee that the Urban Development Department, Delhi Govt through a public notice has asked all residents welfare societies to file fresh application for Regularisation of Colonies along with fresh existing layout plans of the colony and also the plans for purpose of regularization coupled with certain other formalities. It was further advised that the Architect / Planner who will sign has to be of the level and compatibility to norms set by Town Planner . The President advised that vigorous efforts are on to complete all the formalities.

In this connection the matter was discussed at length by the committee and it was unanimously approved to authorize President to engage the service of a competent Architect and complete all other required formalities for submission of application to the concerned government department with in the last date of 31/12/2007.

2. It was further approved unanimously that the existing layout plans and plans to be submitted for regularizations shall be the same and one as the existing plans have sufficient infrastructure provided by different government departments for providing civic amenities to the residents,


  
Resident Welfare Association  
Bhikam Singh Colony  
Shahdara Delhi  
NAIN SINGH  
(President)

CONT P-2

			opment
	-Roads -Water Supply -Hand pumps -Tube wells -Underground Water Tank -Street Light -ESS/Transformers/Generators -Drains -Sewerage/Sanitation -Fire fighting installations	YES NO YES NO NO NO NO YES NO	
31.	Status of Facilities	Nos./Area/ Width/Length	Stage of Devel- opment
	-Parks/Transport lots/Common -Open space -Schools -Community Hall -Common parking areas -Dispensary/Health Centre -Religious structures -Police Post/Fire Post	NO NO NO NO NO NO NO NO	

Enclosures:

- Resolution of the Resident Society.
- Registration Certificate of Society with authenticated List of members/owners/occupants.
- Existing Survey (05 copies + CD)
- Regularisation Plans/ 5 Lay out Plan (Service plan (05 copies+ CD).
- Undertaking as mentioned.
- Certificates/documents/NOCs as mentioned.

  
 Signature of Authorised Signatory  
 Resident Society

**Resident Welfare Association**  
**Bhikam Singh Colony**  
**Shahdara Delhi**  
**N°1 SI GH**  
**(President)**

19.	List of members with Plot/Property No.(to be attached)	ATTACHED
20.	Percentage of Residents/house owners as members of the Resident Society	100%.

21. No. of Built-up Plots: (Min.35% of Gr.Floor permissible coverage)

- (i) Upto 100 sq.mts. - .....3.....
- (ii) Above 100 sq.mts. - .....NIL.....
- (iii) Above 250 sqm. - .....1.....

22. No. of Vacant Plots:

- (i) Upto 100 sq.mts. - .....15.....
- (ii) Above 100 sq.mts. - .....4.....
- (iii) Above 250 sqm. - .....NIL.....

23.	Land use: As per Master Plan As per Zonal Plan	RESIDENTIAL RESIDENTIAL	
24.	Whether falls in Reserved Forests or Regional Park		Yes/No ✓
25.	Whether the Colony effects/falls over Master Plan Road alignment Railway Line Metro Corridor Water Supply/sewerage lines/Utilities Works	NO NO NO NO NO NO	
26.	Any Monuments/Heritage Buildings in the Colony or in the vicinity?	NO	
27.	Key Plan/Site Plan of unauthorised Colony and description of boundaries..... (Please attach scaled Key Plan/Plan of Colony superimposed on Zonal Plan/City Survey Map indicating North Point, surrounding features, adjacent roads, buildings, drains, electricity, lines etc.)	ATTACHED	
28.	NOC as mentioned at para IV (ii):(Please attach)	ATTACHED	
29.	Undertaking/Indemnity Bond(Please attach)	ATTACHED	
30.	Status of Services	Nos./Area/ Width/Length	Stage of Devel-

*Munish*  
Resident Welfare Association  
Bhikam Singh Colony  
Shehdadpur Delhi  
NAIN SI GH  
(President)

# Application & check list for Regularisation of Unauthorised Colony

(To be filled up by the Resident Society and to be countersigned by Architect-Town Planner & Service Engineer)

1.	Name and address of the Colony	BHIKAM SINGH COLONY BLOCK NO-33, SHAMDARA DELHI-32
2.	Regn. No. in the GNCTD list	755
3.	Name of Resident Society	RESIDENT WELFARE ASSOCIATION BHIKAM SINGH COLONY DELHI-32
4.	Registration no. of the Resident Society (with Registrar of Societies)	S/50423/2004
5.	Names of Physical Surveyor & Socio-economic Surveyor	DEEPAK SAINI
6.	Name of Services Engineer	VAIBHAV SHARMA
7.	Name of Supervising Engineer	VAIBHAV SHARMA
8.	Name of Authorised Signatories	
9.	Category of colony (as notified vide Public notice dated 14.10.2007)	F
10.	Revenue Village	KARKARDOOMA VILLAGE
11.	Zone (As per Master Plan of Delhi)	SHAMDARA (SOUTH)
12.	Date from which unauthorised colony exists	1991
13.	Location/surroundings (Towards North, South, East & West)	NORTH - VISHWASNAGAR BLOCK-30 SOUTH - NEW SAN SARY AMAR COLONY EAST - C.B.D. GROUND
14.	Development Area No. MCD/NLMC/Canti. Board Area?	WEST - BHIKAM SINGH COLONY BLK-32
	Whether falls in Notified Slum Area?	NO
15.	Total area of Unauthorised Colony	2277.9 SQM
16.	Land Status/Ownership	PRIVATE & D.D.A
17.	Court Case, if any (Please attach details)	YES (DETAILS ARE ATTACHED)
18.	Land whether notified for acquisition	YES, ONLY SOME PORTION OF LAND IS NOTIFIED FOR ACQUISITION

*Nain Singh*  
Resident Welfare Association  
Bhikam Singh Colony  
Shamdara Delhi  
NAIN SINGH  
(President)

The Urban Development Department,  
(Unauthorized Colonies),  
(9<sup>th</sup> Level 'C' Wing Delhi Secretariat)  
Delhi Government,

Sir,

SUB: APPLICATION BY BHIKAM SINGH COLONY VISHWAS NAGAR  
RESIDENT WELFARE ASSOCIATION BHIKAM SINGH COLONY VISHWAS  
NAGAR DELHI-32 REGN NO 50423/2004 (REGD OFFICE 33/60 BHIKAM SINGH  
COLONY VISHWAS NAGAR DELHI-110032 (PRESIDENT NAIN SINGH)

With reference to your advertisement dated 4.11.2007 in National Dailies, I Nain Singh, President of the Society, has been authorized by the Managing Committee of the society to sign all the documents to be submitted for regularization of the colony. Earlier Society has submitted its application on 31.12.2004 and same recorded at No.00755 at your office and the same has also been shown at serial No 146 in the list of the registered societies /colonies issued by your Department. I hereby submit all the Five Sets of documents in five separate files as detailed below:-

1. Application Form and Check list.
2. Copy of resolution passed by the Managing Committee of the Society.
2. Copy of Acknowledgement Receipt No 00755 (146) dated 31.12.2004
3. Copy of Regn Certificate of Society.
- 4 Five Indemnity Bonds in original on Rs 100/ Stamp Paper executed by President and duly notarized.
5. Five Undertaking in original of Rs 10/ stamp paper executed by President and duly notarized.
- 6 Five List of members /owners of properties/houses in the colony.
7. Five Copies of Existing Layout Plan, Survey Plan and Service Plan of the Colony and one CD of all the three Plans prepared and signed by competent Architects/Engineers.
- Reg Court Cases.
8. Copy of Court Case (wpc) No 244 /1999. Pls Refer to page No 5 of the judgement.
9. Copy of contempt case no 575/2007 filed in High Court against MCD

All these documents in five sets are placed in five different files and are being submitted to your good self for necessary action.

We request you to please process our files and issue orders for the regularization of our colony.

Thanking you,

Yours faithfully,



PRESIDENT  
NAIN SINGH  
33/60 BHIKAM SINGH COLONY VISHWAS NAGAR  
DELHI-110032.

**Resident Welfare Association**  
**Bhikam Singh Colony**  
**Shahdara Delhi**  
**NAIN SINGH**  
**(President)**



# भारतीय गैर न्यायिक



## INDIA NON JUDICIAL

दिल्ली DELHI

AFFIDAVIT

22AA 125699

I Nain Singh S/o Sh Fattu Singh R/o 17/169-B , Karkari Road , Vishwas Nagar , Shahdara , Delhi -110032. , President of Resident Welfare Association Bhikam Singh Colony , Vishwas Nagar , Shahdara , Delhi -110032 do hereby solemnly affirm and declare as under -:

1. That we have applied in the scheme for regularization of unauthorized colonies with Govt of NCT of Delhi. Our Serial no. figuring in the List prepared by the Govt. is 0755.
2. That we shall abide by the layout plans as may be approved with or without conditions by the competent authority.
3. That we shall transfer the land available , if any for social infrastructure in the name of DDA or MCD / NDMC free of cost in order to provide such social infrastructure.

Nain Singh

Deponent



Verification

Verified on .....//.....day of August 2008 that the content of the affidavit are true and correct to best of my knowledge and belief

ATTESTED

Nain Singh

Deponent

NOTARY PUBLIC  
Govt. of NCT of Delhi

11 AUG 2008

MOST IMMEDIATE

GOVERNMENT OF NCT OF DELHI  
URBAN DEVELOPMENT DEPARTMENT  
10<sup>TH</sup> LEVEL, DELHI SECRETARIAT,  
I.P. ESTATE NEW DELHI

F.No. 1-05/UD/UC/2008/781

Dated:

To

The President,

Residents Welfare Asso.

Bhikam Singh Colony

Vishwas Ngr. Shahdara

Delhi - 32

**Sub: Verification of documents of unauthorized colonies for the purpose of regularization.**

Sir,

*Regd.* A preliminary scrutiny of the application submitted by the unauthorized colony and figuring at ~~Serial~~ No. 0755 of the list of such unauthorized colony has been made. It has been noted that you have not submitted the following required documents, along with your application:-

**As per check list enclosed.**

You are therefore, requested to kindly get the registration of your resident society done immediately, if not already registered, with the Registrar of Societies GNCT of Delhi. A copy of the certificate along with other deficient documents as pointed out above may please be got ready as the government of NCT of Delhi proposes to hold a camp shortly for rectification of deficiencies in the application forms.

This is in pursuance of the decision to grant a provisional registration certificate. The date and time of the camp would be notified through public advertisement.

Yours faithfully,



(J.G. ARORA)

DY. SECRETARY (UC)

Encl: Check list.

GOVERNMENT OF NCT OF DELHI  
URBAN DEVELOPMENT DEPARTMENT  
10<sup>TH</sup> LEVEL, DELHI SECRETARIAT,  
I.P. ESTATE, NEW DELHI

F. No. 1-33/UC/UD/Policy/08/PF/

Dated:- 12 AUG 2008

To,

The President / Secretary

Resident Welfare Assn.

Bhikam Singh Colony,

Vishwas Nagar, Shahdara, Delhi.

Registration No 0755

Sub: - Eligibility slip for issuance of Provisional Regularization Certificate.

Sir,

The documents submitted by you have been scrutinized and your unauthorized colony bearing Registration No 0755 has been found eligible for issuance of Provisional Certificate of Regularization.

Nain Singh  
12/8/2008

Resident Welfare Association  
Bhikam Singh Colony  
Shahdara Delhi  
**NAIN SINGH**  
(President)

Yours faithfully,

[Signature]  
(Incharge)  
Counter No.

Urban Development Deptt  
(Govt. of Delhi)  
10<sup>th</sup> Secretariat New Delhi - 2



# CHECK LIST OF DOCUMENTS

Regd. No. 755

- Registration Certificate of Resident Society *Yes*
- Existing Layout Plan of the colony on the scale of 1:1000, services plan, survey plan prepared by an Architect/Town Planner *Yes*
- Improved layout plan, if any (optional) *NA*
- Complete list of members with details such as plot Nos. and area of the colony *Yes*
- Land status with Khasra No. accompanied by a site plan giving the physical description of the site *NC*
- Certificates duly signed by the authorized signatory of Resident Society/owner and the Architect/Town Planner *NA*
- Layout Plan shall be authenticated by the authorized signatory of Resident Society and Architect/Town Planner *Yes NA*
- Undertakings: *Yes difount benuegl*
  - i. That they shall abide by the layout plans as may be approved with or without conditions
  - ii. That they shall transfer the land available, if any for social infrastructure in the name of the DDA or the MCD/NDMC, free of cost, in order to provide such social infrastructure



• Indemnity bond *Yes NA*

*Main Singh*

*11-8-2008*