



THE COURT OF THE SUB DIVISIONAL MAGISTRATE (RAJOURI GARDEN)
GOVERNMENT OF NCT OF DELHI
OLD MIDDLE SCHOOL BUILDING, RAM PURA, DELHI -110035

Case No. 267

Under Section 133 Cr.P.C.

State

V/s

Rajeev S/o Sh. Om Prakash
R/o 8/15, Ashok Nagar, New Delhi

... Respondent

ORDER

A kalandra U/s 133 Cr.P.C has been received from SHO, P.S. Hari Nagar, wherein it is complained that respondent has indulged in running factory at WZ-365, Tihar Village, New Delhi for making sanitary goods which is causing pollution and public nuisance.

And whereas in response to Preliminary Order dated 12/12/2011, Sh. Rajeev Jawa, owner of WZ-365, Tihar Village appeared and informed that he has installed there machine and five employees for job work of sanitary goods.

The Hon'ble Supreme Court of India vide order dated 07/05/2004 in the case of M.C. Metha Vs Union of India and Ors (2004) 6 SCC 588, directed all industrial/ polluting/ illegal activities violating provision of Master Plan 2001 to close down with immediate effect within a period of four months in all residential / non- residential areas of Delhi.

In view of the above, I am of considered opinion that Respondent is running a factory of manufacturing sanitary goods in the residential area which is causing noise & air pollution without obtaining any sanction/permission for the said activity from the Competent Authority at **WZ-365, Tihar Village, New Delhi** that is injurious to the health and physical comfort of the community and that in consequence such trade or occupation should be regulated and such goods should be removed.

As per above discussion, I am satisfied that the Preliminary order issued on 12/12/2011 u/s 133 Cr. PC (ii) requiring Respondent to stop running shop of factory in the residential area which is causing noise & air pollution without obtaining any sanction/permission for the said activity from the Competent Authority **at WZ-365, Tihar Village, New Delhi** which is causing discomfort to the residents of the locality, is reasonable and proper. This order is made absolute on the above mentioned ground.

Given under my hand and seal on **23rd day of January, 2012.**

File be consigned to record room.


(ANJU MANGLA)
SUB-DIVISIONAL MAGISTRATE
(RAJOURI GARDEN)

Rajeev S/o Sh. Om Prakash
R/o 8/15, Ashok Nagar, New Delhi

Copy to:

1. SHO, Police Station Hari Nagar, for implementation of this order, failing which action under section 188 of IPC shall be initiated.
2. The Chief Executive Officer, BRPL, BSES Bhawan, Nehru Place, New Delhi to disconnect industrial connection.
3. The Chief Executive Officer, DJB, Varunalaya, Jhandewalan, New Delhi to disconnect commercial/industrial water supply, if any.
4. Asstt. Programmer Officer, Distt. West with the direction to upload the same on the website of DC(West), Govt. of NCT of Delhi.


(ANJU MANGLA)
SUB-DIVISIONAL MAGISTRATE
(RAJOURI GARDEN)