



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

Case No. 383

Under Section: 133 Cr.P.C.

Neeraj Bhatia

.....Complainant

Versus

Owner/Occupier

WZ-26, A-55 Ground Floor Tihar Village

... Respondent

ORDER

Whereas a complaint has been received vide dy. No. RG/14292 dated 19/12/2011 from WZ-26 A-55 First Floor Tihar Village that an unauthorized construction at WZ-26 A-55 Ground Floor Tihar Village is being carried out by you without obtaining any sanction/permission for the said activity from the Competent Authority.

And whereas in response to Conditional Order dated 11/01/2012, Sh. Mulak Raj appeared on 07/04/2012 and deposed that he is running a workshop of manufacturing of steel almirah. He is also carrying on repair work at this premises including spray painting of almirah also.

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 workshop of manufacturing of steel almirah which is causing noise & air pollution without obtaining any sanction/permission for the said activity from the Competent Authority at WZ-26, A-55 Ground Floor Tihar Village 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-26, A-55 Ground Floor Tihar Village 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 07th day of April, 2012.

File be consigned to record room.

Sh. Mulak Raj, Owner
WZ-26, A-55 Ground Floor Tihar Village

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

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, DSES 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.
5. Sh Neeraj Bhatia, WZ-26, A-55, First Floor, Tihar Village.

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