

BEFORE THE HON'BLE LOKAYUKTA
Justice Manmohan Sarin
Complaint No. C-365/Lok/2010/

In the matter of :-

Sh. Deepak SehgalComplainant

Vs.

Dr. Narender Nath, MLARespondent

1. Complainant in person.
2. Mr. Kumar Vikrant, Counsel for Complainant.
3. Respondent in person.
4. Ms. Sneha Singh, Counsel for Respondent

Complainant had filed an application seeking withdrawal of the Complaint, wherein it was mentioned the he does not wish to pursue the case for personal reasons.

I was not satisfied with the application as filed. I had directed the Complainant to be present so his statement could be recorded and the reasons for withdrawal, are known.

Both the Complainant and Respondent are present. Let the statement of Complainant Sh. Deepak Sehgal and the Respondent Dr. Narender Nath be recorded.

Statement of Complainant Sh. Deepak Sehgal has been recorded. The complainant has deposed on oath that following death of his elder brother he has been burdened with the family responsibilities and he finds it difficult to discharge them. There is also lot of family pressure on him to devote more time for family responsibilities. He has also deposed that though when he filed the complaint he bona fide believed in the same but after the evidence has been led, he has been advised that it has not been possible to substantiate the allegations. He has further deposed that he now realizes that there is no full-fledged temple in any of the Chaupals. He is therefore desirous of withdrawing the Complaint.

Respondent Dr. Narender Nath has heard the statement of the Complainant and has accepted the same. He does not wish to proceed under section 9(2) of the Delhi Lokayukta and Upalokayukta Act, 1995. Statement of the Respondent Dr. Narender Nath has also been recorded in this regard.

On perusal of the Complaint, it is noticed that apart from the allegation of diverting funds for building of chaupals to build

temples, there were two allegations, namely, encroachment of public land and regarding use of red bacon light over his car through not being entitled to it. The Respondent has stated that as Chairman of Trans Yamuna Development Board, his position is equivalent to holding of Cabinet Rank . The urban Development Department, under whom the Board functions, has written to the Delhi Traffic Police for continuance of his using red light on his car. Dr. Narender Nath has stated that in case permission for use of red bacon light on his car has not obtained within three months, he would voluntarily remove it.

Regarding the alleged encroachment and construction of two pota cabins on public land, he stated that these were constructed by the PWD. However, one room has already been removed and has stated on oath that remaining one room would be removed as soon as his house is constructed which is under construction/renovation.

In view of the statement made by the Complainant and Respondent, I am satisfied that the withdrawal of the Complaint is not under any coercion or pressure, but for reasons recoded in Complainant 's statement.

Application for withdrawal of Complaint is allowed. The statement of the Respondent, Dr. Narender Nath with regard to the remaining two allegations against him, is accepted.

Complaint is dismissed as withdrawn. Respondent would be bound by his statement.


(Justice Manmohan Sarin)
Lokayukta

Date : 19.10.2012 ik