

**BEFORE THE LOKAYUKTA, DELHI**  
**Justice Manmohan Sarin**

**Complaint No. C-1977/Lok/2013**

**Complaint of Sh. Yaspal Arora against Mr. Dimple Chadha,**  
**Councillor, Ward No. 115.**

**ORDER**

1. Perused, the office note as also the complaint, together with annexures and photographs attached with the complaint.
  
2. This complaint is lodged by Complainant. Mr. Yashpal Arora, S/o Sh. Devidayal Arora, R/o H-245, First Floor, Vikaspuri, New Delhi, who claims to be a joint owner of Xpert Service Hyundai Outlets, situated at WZ-249A, Gali No. 16, Sant Garh, Near Vikaspuri, Outer Ring Road, New Delhi.
  
3. The Complainant claims that the outlet was opened on 23<sup>rd</sup> December, 2012, and after few days Respondent/Councillor Sh. Dimple Chadha, National Vice President of Shromani Youth Akali Dal (Badal) started pressuring him to put up his hoardings on the building. Per-force with a view to avoid complication they put up the hoarding as shown in annexure 1A to the complaint. Complainant alleges that on 11<sup>th</sup> January, 2013, a person claiming to be representative of Sh. Dimple Chadha, came and introduced another person saying that the latter would be present at the outlet and keep a track on all the cars that are serviced. The complainant claims that he refused to entertain the said person and asked them to leave the office. However, later in the afternoon Respondent along with his armed men and about 8-9 persons started intimidating and abusing them. He demanded that the complainant pays a salary of Rs.18,000/- to the appointed person and Rs.100/- per vehicle that is received in the outlet as a condition for smooth functioning of the outlet. Respondent told the Complainant that he had high contacts and the premises would be sealed and broken down, if conditions

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were not met. Complainant alleges that the Respondent threatened the Complainant including the safety of their female staff.

4. Complainant has filed the complaint along with CD of the above incident as captured by the CCTV cameras installed. Written complaint was also filed by the complainant before the Deputy Commissioner, MCD, West Delhi and at Police Station Tilak Nagar, Delhi, on the same date. An FIR bearing no. 25/2013 was registered at PS Tilak Nagar, Delhi on 15<sup>th</sup> January, 2013.

5. The said complaint and FIR have been perused with the Complaint.

6. Complainant claims that on 14<sup>th</sup> February, 2013, some persons from MCD came outside the outlet along with police assistance and started destroying the approach road with the outlet. When complainant asked and enquired about any authority for carrying out the work, they refused to show any order. It is alleged that one Mr. J. P. Gupta and Mr. D. Dogra, carried out the demolition of the approach road. Complainant was helpless and sought assistance by dialing no. 100 and calling the PCR van. However, the PCR was not in sight till the portion of approach road to the outlet had been destroyed. Photographs of the same have been attached.

7. Effort by the Complainant to repair the road was thwarted by the MCD employees. The Complainant approached the Police for help and called the PCR van through 100 no. When police tried to talk to them the respondent called on telephone and threatened the police personnel for trying to help him. Complainant claims that this factum was also recorded by the said police man in his record. Allegations in the Complaint are supported by an affidavit.

8. Based on the allegations made in the complaint supported by the CD of the CCTV recordings and photographs showing Respondent and his men approaching the complainant showroom/work shop, as also complaint before the Deputy Commissioner, MCD West, and SHO and the FIR on the record make

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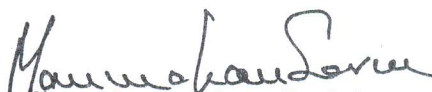
out a prima facie case for action under Section 7 read with 2 (b) (i), (ii) and (iii) for failing to observe the norms and integrity of conduct and abuse and misuse of his position and discharge of functions as actuated by improper or corrupt motive and personal interest is made out.

9. Let notice be issued to the respondent returnable on 20<sup>th</sup> March, 2013, at 2.30pm

10. Notice be also issued to the complainant informing of the above order and directing his presence on the next date.

11. Copy of the Complaint together with the copy of CD and the annexures as filed, be sent along with notice calling upon the respondent to file its response by the date fixed and to appear in person before this Forum on the next date.

12. Notice be also issued to the Deputy Commissioner (West) MCD, to file a status report regarding action, if any, taken on the communication of the Complainant. Orders, if any, passed for demolition of the portion of the approach road abutting the Complainant's showroom only, together with the record and decision making process be sent through an authorized representative familiar with the facts of the case.

  
(Justice Manmohan Sarin)  
Lokayukta, NCT of Delhi

**Dated:28.2.2013**