

**BEFORE HON'BLE LOKAYUKTA
JUSTICE REVA KHETRAPAL
COMPLAINT NO. C-183/LOK/2009**

IN THE MATTER OF:

SHRI RAJESH GARG COMPLAINANT

VERSUS

SHRI JAI BHAGWAN AGGARWAL, MLA RESPONDENT

PRESENT:

1. None for the Complainant.
2. Shri Jai Bhagwan Aggarwal, respondent in person.
3. Shri Abhijat Bal, Advocate, Amicus Curiae.
4. Shri Mohit Singhal, Advocate on behalf of Ms. Mansi Bajaj,
Counsel for DDA.

ORDER

1. The complaint of the complainant in the present case is against Shri Jai Bhagwan Aggarwal, Member of Legislative Assembly of Rohini area. In the said complaint, it is alleged that a piece of land measuring 650 sq. yds. between Pocket-A3 and B-4, Sector-7, Rohini, Delhi, which is part of Khasra No. 184(0-13) of Village Naharpur, was lying vacant and on the said land the respondent Shri Jai Bhagwan Aggarwal had unauthorisedly and illegally constructed a Mandir, his Office and some rooms.

2. The case was at the stage of final hearing before my learned predecessor when an application was filed by the respondent, asserting therein that the Hon'ble Lt. Governor of Delhi had decided that a formal possession of the land can be taken for regularizing the temple site as it will be difficult to remove the temple. It was further considered that the temple be allotted thereafter to some Religious Trust/Society. A copy of the Order of the Hon'ble Lt. Governor dated 19-11-2010 was annexed with the application as Annexure-A-1.
3. The aforesaid order passed by the Hon'ble Lt. Governor was challenged by Jan Adhar Manch, a registered Society, through the complainant, by filing a Writ Petition (C) bearing No. 2933/11 before the Hon'ble High Court of Delhi by way of a Public Interest Litigation. The said Writ Petition was disposed of by the Hon'ble High Court of Delhi by observing that the Religious Affairs Committee constituted by the Hon'ble Lt. Governor on 18-02-1991 to deal with the unauthorized religious structures on public land may examine the matter in the aforesaid Writ Petition from all aspects and take appropriate decision. The Hon'ble High Court was further pleased to record that the temple was in existence since 1938.
4. In view of the aforesaid, notice was issued by this Forum to the Religious Affairs Committee through the office of the Hon'ble

Lt. Governor to verify the status of the proceedings before the Religious Affairs Committee.


5. On 04-04-2016 Shri M.K. Shukla, Officer on Special Duty, Home Department, Government of NCT of Delhi, sought six weeks time to place on record the decision of the Religious Affairs Committee constituted by the Hon'ble Lt. Governor and the matter was adjourned to 08-07-2016. On 08-07-2016, however, none appeared on behalf of the parties and the Registry of this Forum put up a note stating that the Report of the Religious Affairs Committee was still awaited.
6. Today, a Status Report has been filed on behalf of the Home Department, Government of NCT of Delhi, by Shri M.K. Shukla, OSD (Home Department), which is taken on record. As per the status report, the matter is still to be placed before the Religious Affairs Committee for want of certain documents and clarifications from the Delhi Development Authority.
7. In view of the aforesaid and keeping in view the fact that the matter before the Religious Affairs Committee is likely to take some time, the present complaint is adjourned *sine die*. The report shall be placed on record by the Home Department, GNCTD, as soon as the same is ready. Liberty is given to the complainant to have the present complaint revived in case he

still wishes to prosecute the complaint after the submission of the report.

8. File be consigned to the Record Room.

Dated: 02-09-2016

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(JUSTICE REVA KHETRAPAL)
LOKAYUKTA, DELHI