

(2020) 03 DEL CK 0248

In the Delhi High Court

Case No : Criminal Writ Petition No. 665 Of 2020

Shaikh Mujtaba Farooq & Ors.

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 27-03-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Citation : (2020) 03 DEL CK 0248

Hon'ble Judges : Siddharth Mridul, J; Talwant Singh, J

Bench : Division Bench

Advocate : Colin Gonsalves, Sneha Mukarjee, Nabila Hasan, Tariq Adeeb, Amit Mahajan, Rahul Mehra, Abhinav S. Aggarwal

Judgement

CRL.M.A. No. /2020 (To be Numbered Subsequently) Â Â Â Â Â

The present application under section 482 of Code of Criminal Procedure, 1973, instituted on behalf of the applicants/petitioners, and supported by an

affidavit of Mr. Shaikh Mujtaba Farooq/petitioner No.1, prays as follows:

â??a. Directing a large contingent of cleaning staff from the East Delhi Municipal Corporation to go immediately to the area to carry out

the cleaning on a war footing and continue cleaning the area and the drains twice a day.

b. Directing the respondents to re-open the relief camp at Idgah, Mustafabad and to provide proper food supplies, sanitation, cleaning of toilets, adequate water and security.

c. Directing the respondents to publically announce on television and in the Newspapers that the Idgah camp is open and all those who seek refuge there are welcome to return.

- d. Directing the respondents to provide doctors and medical care immediately.
- e. Restraining the respondents from preventing or interfering with the work of genuine NGOs and media persons providing assistance.
- f. Directions for the security to be upgraded with immediate effect.
- g. Directions for appointment of a responsible person as Court Commissioner to visit the riot affected areas and the relief camps and to make a report about the conditions and to make recommendations regarding what is needed to be done urgently.
- h. Pass any other order which this Honâ??ble Court may deem fit and proper to do complete justice to the matter/case.â??

Issue notice.

Mr. Amit Mahajan, learned Central Government Standing Counsel, Mr. Abhinav S. Aggarwal, learned Additional Standing Counsel and Mr. Rahul

Mehra, learned Standing Counsel (Criminal) accept notice on behalf of the Union of India, East Delhi Municipal Corporation and Government of NCT

of Delhi/non-applicants/respondents respectively, and pray for time to file reply.

Let the short replies be filed on or before the next date of hearing.

In view of the urgency expressed, renotify on 30.03.2020.

In the meantime, the Government of National Capital Territory of Delhi is directed to ensure that all the riot victims, who may be shelterless at the

moment, are provided with accommodation, either at the Community Centres or at the Night Shelters, operated by the Delhi Urban Shelter

Improvement Board (DUSIB) in the North-East District, Delhi.

In addition, the GNCTD will ensure the provision of food, water and medical aid to such individuals.

The GNCTD and EDMC shall furthermore, individually and jointly, ensure that sanitation, cleanliness and hygiene is properly and regularly maintained

at the locations/centres/shelters, where the riot victims are to be housed.

A copy of this order be provided by the Registry, electronically, to learned counsel appearing on behalf of the parties. Further, a copy of this order be

uploaded on the website of this Court forthwith.