

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL.) 665/2020**

SHAIKH MUJTABA FAROOQ & ORS. Petitioners

Through: Mr. Colin Gonsalves, Senior Advocate with
Ms. Sneha Mukarjee, Mr. Ritesh Dhar
Dubey and Ms. Nabila Hasan, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Amit Mahajan, CGSC for UOI.
Mr. Rahul Mehra, Standing Counsel
(Criminal) for GNCTD.
Mr. R.P. Aggarwal, Additional District
Magistrate (N.E.)
Mr. Abhinav S. Aggarwal, Additional
Standing Counsel for EDMC.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.03.2020**

1. This matter has been listed pursuant to order dated 27.02.2020.

The hearing was conducted through video conferencing.

2. An additional affidavit has been filed behalf by petitioner No.1 highlighting certain issues. It is contended by Mr. Colin Gonsalves, learned Senior Advocate that the riot victims are facing several issues. He submits that they were initially staying at a camp set up at Idgah but the Government has cleared the camp and the riot victims have

been forced to relocate themselves. He submits that some of them had to go back to their houses and some of them have had to accommodate themselves with their relatives. It is submitted that, in view of the lockdown, they are facing severe problems with regard to food and medical help.

3. Mr. Rahul Mehra, Standing Counsel appearing for Government of NCT of Delhi, under instructions, submits that the families which were staying at the camp at Idgah had voluntarily left the camp and were not removed by the police or the government. He submits that now the camp has been removed.

4. Without getting into the controversy as to whether the families of the riot victims which were living at the camp at Idgah vacated the camp voluntarily or they were forced to vacate, the fact of the matter is that they are no longer there at the camp at Idgah.

5. Mr. Rahul Mehra on behalf of the Government of NCT of Delhi submits that keeping in view the present situation and also the directions with regard to lockdown issued by the Central Government, the officers shall get in touch with the representatives of each of the 275 families, whose names and telephone numbers have been provided by the petitioner along with the additional affidavit, and ascertain the number of family members and also ascertain as to whether they require assistance of food or medicines and accordingly provide food packets to them. Mr. Mehra further submits that medical kits containing over the counter medicines for basic ailments can be

provided to each of the families as per their requirement.

6. He further, under instructions, submits that Mohalla Clinics of the North East District are functional and the representatives of each of the families shall be provided the details of the nodal officers who can be contacted by them in case of emergent requirement of any medical assistance.

7. Mr. Rahul Mehra further submits that in case any of the families require accommodation, efforts shall be made to immediately place them in appropriate accommodation/relief camps.

8. Mr. Gonsalves submits that keeping in view the circumstances under which they had to leave their respective houses, there is an apprehension with regard to shifting them to the existing night shelters in and around their respective localities.

9. Mr. Rahul Mehra, and Mr. Abhinav Aggarwal, Standing Counsel for East Delhi Municipal Corporation submit that the authorities shall coordinate between themselves and ensure that such families are not accommodated in the existing night shelters.

10. Mr. Rahul Mehra further submits that the Nodal Officer shall also provide the contact details of an officer who could be contacted by any one of these family members in case of any emergency and requirement of a curfew pass as per the existing norms.

11. List for directions/reporting compliance on 03.04.2020.

12. The order be uploaded on the website forthwith.
13. Copy of the order be also forwarded to the counsels through email.

SANJEEV SACHDEVA, J

NAVIN CHAWLA, J

MARCH 30, 2020
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