

* **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

%

03.04.2020

1. This Petition has been listed pursuant to order dated 30.03.2020. The hearing was conducted through video conferencing.
2. Pursuant to order dated 30.03.2020, Action Taken Report has been filed by Mr. Rahul Mehra, Standing Counsel appearing for the Government of NCT of Delhi.
3. It is stated that in addition to the Nodal Officers already appointed, Mr. Kishan, Section Officer (Admn) in the Office of the District Magistrate, North East has been appointed as the Nodal Officer to specifically deal with the 275 riot affected families mentioned by the petitioner. It is pointed out that Mr. Kishan is in touch with the

representatives of the said families and is looking after the issues of curfew passes and provision of food.

4. In addition to Mr. Kishan being appointed as a Nodal Officer, the Chief District Medical Officer has appointed two Nodal Officers, Dr. Surya Kant Singh and Dr. Abha Dhand, both medical officers for providing medical help to the members of the said 275 families. Medical kits, containing over the counter medicines, have already been prepared and are ready for distribution to the said 275 families.

5. Mr. Gonsalves, learned senior counsel appearing for the petitioner submits that the nodal officer, Mr. Kishan as well as the medical officers are in touch with the representatives of the 275 families and are taking care of their requirements and are very proactive and petitioners are confident that with the present nodal officers and with the dynamic steps being taken by the Government, the families are not likely to face any problem.

6. He contends that some of the family members may not have ration cards as all their belongings were destroyed when their houses were burnt. He further submits that in addition to cooked food some free ration is needed and accordingly they shall be approaching the nodal officer and expressing their requirements.

7. Mr. Gonsalves learned senior counsel appearing for the petitioner further raises a concern with regard to the cleanliness of the areas as well as the Drain which flows near the Shiv Vihar.

8. Mr. Gonsalves learned senior counsel appearing for the petitioner submits that in addition to the 275 families, they have become aware of some other families which had been affected and are similarly situated and

they shall be bringing it to the notice of the concerned nodal officer seeking help for them as well.

9. Mr. Abhinav Aggarwal, Learned Standing Counsel appearing for the East Delhi Municipal Corporation submits that two Community Centres have been made available by the Corporation to the Government of NCT of Delhi, which could be used as relief camps to accommodate the families of the riot victims, if required. One is at Nand Nagri and the other at Bhram Puri.

10. Mr. Gonsalves states that in case any of the families require accommodation it shall also be brought to the notice of the nodal officer.

11. Learned counsel appearing for the East Delhi Municipal Corporation and Government of NCT of Delhi submit that efforts are being made to ensure cleanliness in the area as well as cleaning of the Drain with the present limited resources, however they submit that the residents of the area also have to maintain discipline and ensure that fresh garbage and material is not dumped in the area or in the drain.

12. Mr. Rahul Mehra appearing on behalf of Government of NCT of Delhi submits that presently the Government has decided to issue 1.5 times free ration over and above the entitlement for a period of three months to all the ration card holders.

13. In view of the problem expressed by Mr. Gonsalves learned senior counsel appearing for the petitioner, that some of the family members may not be able to produce the ration card as the same may have got destroyed, the nodal officer is directed to look into the said aspect, if approached by the family members and ensure that in case dry ration is required by any of

these families, the same is provided to them as per their entitlement.

14. Since it is stated by Mr. Gonsalves learned senior counsel appearing for the petitioner that the nodal officers and the medical officers are at present taking care of the requirement of these families and are taking proactive steps to ensure that none of the family members face any problem, and in view of the above assurances given by Mr. Ayush Aggarwal, the learned Standing Counsel for the East Delhi Municipal Corporation as well as by Mr. Rahul Mehra, learned Standing Counsel appearing for the Government of NCT of Delhi, we are of the view that no further orders are called for on the said aspect at this stage.

15. We expect that the Nodal and Medical officers shall continue to take proactive steps and provide help to these families in the manner that they are presently providing.

16. List before the concerned roster bench for directions on 04.05.2020.

17. The order be uploaded on the website forthwith.

18. Copy of the order be also forwarded to the counsels through email.

SANJEEV SACHDEVA, J

NAVIN CHAWLA, J

APRIL 03, 2020
rk