

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 along with Ms. Sneha
Mukarjee, Ms. Nabila Hasan and
Mr. Tariq Adeeb, Advocates.

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Amit Mahajan, CGSC for
UOI.
Mr. Rahul Mehra, Standing
Counsel (Criminal) for GNCTD.
Mr. Abhinav S. Aggarwal,
Additional Standing Counsel for
EDMC.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

27.03.2020

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

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:

“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 NGO's 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 Hon'ble Court may deem fit and proper to do complete justice to the matter/case."

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.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

MARCH 27, 2020

dn/as