

\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 3167/2022 & CM APPLs. 18228/2022, 39036/2022
COURT ON ITS OWN MOTION Petitioner

Through:

versus

THE COMMISSIONER OF POLICE AND ORS Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) with Ms. Supriya Manan,
Advocate.

Mr. Kirtiman Singh, CGSC with Mr.
Waize Ali Noor, Ms. Shreya
Vedantika Mehra, Mr. Madhav Bajaj,
Ms. Kunjala Bhardwaj, Ms. Vidhi
Jain and Ms. Durgesh Nandani,
Advocates for UOI.

Mr. Arun Panwar, Mr. Pradyumn
Rao, Mr. Tapes Raghav, Ms. Mehak
Rankawat, Advocates for Mr. Santosh
Kumar Tripathi, SC for GNCTD.

Mr. Ajjay Aroraa, Standing Counsel
for MCD with Mr. Kapil Dutta and
Mr. Anuj Bhargava, Advocates.

Ms. Isha Pandey, DCP/South East
Distt. With Mr. Pradeep, ASI, Mr.
Surya Prakash, SHO and Mr. Rakesh
Kumar, SHO.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

09.01.2023

%

1. The present petition has been registered as a Public Interest Litigation on the basis of a letter dated 10.12.2021 received from one Om Prakash Goyal, in respect of the unmanned barricades which are allegedly causing

public nuisance.

2. This Court has passed various orders from time to time in the matter. It has been informed that the barricades whether manned or unmanned are not causing any public nuisance and that the Delhi Police is making all possible endeavours to ensure that the barricades are placed at various points, keeping in view the Standing Order No.22/2022 dated 31.03.2022 issued by the Delhi Police Headquarters.

3. On the last date of hearing i.e., 14.11.2022, the Delhi Police was directed to file a status report in respect of manned and unmanned barricades. A detailed and exhaustive status report dated 06.01.2023 has been filed by the Delhi Police in the matter. The relevant portion of the said status report reads as under:

“1. That the present Status Report is being filed in compliance of order passed by this Hon'ble Court on 14.11.2022 in the above captioned matter.

2. That as regards to the violation of Standing Order pointed out by the Hon'ble Court, it is submitted that report has been called from all District DCsP and disciplinary action in 51 cases has been initiated against the concerned staff/SHOs where violation of directions of the Standing Order has been found. Detail of actions taken in all the above incidents is placed as Annexure A.

3. That as directed by the Hon'ble Court, detail report has also been called from all the District DCsP with respect to the number of barricades put up in each police station, being manned by the Delhi Police and the RWAs. As per reports, barricades are being put up at 773 locations by the Delhi Police, out of which 714 are manned by Delhi Police staff and barricades at 59 locations/colonies are being manned by the staff of

respective RWAs. Detail of barricades police station wise is placed as Annexure B.

4. That, the night patrolling staff also checks whether any barricade is lying unmanned in their area. The Night Checking Officers also check all the barricades placed in the area and if any unmanned barricade is found, information is required to be immediately forwarded to the District Control Room and also to the concerned SHO. The night patrolling staff has also been directed to inform the SHOs about it so that the unmanned barricade are immediately removed.

5. That all DCsP/ACsP and SHOs have again been directed to strictly comply with the directions issued vide Standing Order No 22/2022 dated 31.03.2022 issued by PHQ and Circular No 29/2022 dated 15.09.2022 issued by Joint CP/Crime and to ensure that barricades put up by Delhi Police or the RWAs, shall always be manned and under no circumstance it shall remain unmanned.

6. That meetings with the Joint CsP/Addl CsP Ranges and District DCsP were also taken to sensitize them about the directions of the Hon'ble Court and for ensuring that no barricades should be left unmanned.

4. The status report reveals that for violation of Standing Order No.22/2022 disciplinary action in 51 cases has been initiated against the concerned Staff/SHOs and all barricades which are in place in Delhi are being manned by Delhi Police and the Residential Welfare Associations (RWAs). It is stated that the barricades have been put up at 773 locations by the Delhi Police, out of which 714 are being manned by Delhi Police staff and barricades at 59 locations/colonies are being manned by the staff of

respective RWAs.

5. It has also been brought to the notice of this Court that the Standing Order No.22/2022 dated 31.03.2022 has been issued by Delhi Police Headquarters and the Circular No.29/2022 dated 15.09.2022 has been issued by the Commissioner of Police/Crime, in order to ensure that the barricades put up by the Delhi Police or by the RWAs shall always remain manned, and under no circumstances it shall remain unmanned.

6. Ms. Isha Pandey, DCP/South East District is present in the Court today. She has assured this Court of strict compliance of the Standing Order No.22/2022 dated 31.03.2022 issued by Delhi Police Headquarters and the Circular No.29/2022 dated 15.09.2022 issued by the Commissioner of Police/Crime. She has also stated that periodic checks are also being carried out throughout Delhi to ensure that no barricade remains unmanned and the Delhi Police shall also make all possible endeavours to keep all the barricades manned.

7. In light of the aforesaid, no further orders are required to be passed in the matter.

8. The petition is disposed of, along with pending application(s), if any.

SATISH CHANDRA SHARMA, CJ

SUBRAMONIUM PRASAD, J

JANUARY 09, 2023

S. Zakir