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

+ CONT.CAS(C) 742/2011

RAVINDRA NATH SHARMAPetitioner

Through: Mr. M.C. Dhingra, Advocate

versus

GAUTAM SEN GUPTARespondent

Through: Mr. Rajesh Kumar, SPC, UOI with
Ms. Ramneet Kaur, Advocate

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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24.04.2023

1. The Respondent, Archaeological Survey of India ('ASI') has filed a short affidavit dated 22.04.2023 in pursuance to the direction issued *vide* order dated 20.01.2023. Let the same be brought on record.
2. It is stated in this affidavit that ASI has constituted a fresh expert committee for conservation, preservation, restoration and proper functionality of Jantar Mantar observatory.
3. It is prayed in the said affidavit by the Respondent, ASI that eight (8) weeks' time be granted for setting up a 'meeting' of the new committee and to furnish to this Court the required recommendations to carry out conservation, preservation, restoration and proper functionality of the monument.
4. The learned counsel for the Petitioner is aggrieved by the said request made in the affidavit on the ground that neither the date of the constitution

of the committee has been mentioned and nor a firm date for holding the first meeting has been mentioned therein. He states that the affidavit is deliberately vague and the inaction on part of the Respondent since 20.01.2023 till today shows lack of regard for the pendency of these proceedings.

5. The learned counsel for the Respondent states that he has no instruction with respect to the date of the constitution of the committee or the date on which the meeting of the committee is next scheduled to be held.

6. This Court is of the view that the Petitioner's grievance with respect to evasiveness as well as acts/omissions of the Respondent is justified.

7. However, in the interest of justice, the time sought by the Respondent is granted. It is however, reasonably expected that the newly constituted committee shall hold the meeting at the earliest so that steps taken for preservation, restoration and proper functionality of the monument can be placed on record before the next date of hearing.

8. The affidavit has been filed by Dr. Praveen Singh, superintending archaeologist. He is directed to remain present in Court on the next date of hearing.

9. It is directed that the status report indicating the steps initiated for conservation, preservation, restoration and proper functionality of the monument be filed one (1) week prior to the next date of hearing.

10. List on 31.08.2023.

MANMEET PRITAM SINGH ARORA, J

APRIL 24, 2023/hp/ms