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

+ W.P.(C) 2893/2020 & CM APPL. 10081/2020

HINU MAHAJAN AND ANR

..... Petitioners

Through: Mr. Yudhvir Singh Chauhan,  
Ms. Shivangi Shokeen, Mr. Aditya  
Sharma, Advocates

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC for  
UOI  
Ms. Arushi Gupta, Advocate for  
Mr. Jawahar Raja, ASC for GNCTD  
Mr. Rajat Nair, SPP with Mr. Dhruv  
Pande, Advocate for R-3/Delhi Police  
Mr. Pritish Sabharwal, Standing  
Counsel for JMI

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

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**31.01.2023**

1. The Petitioner before this Court has filed the present writ petition under Article 226 of the Constitution of India in public interest, praying for the following reliefs:-

*“(a) Issue directions to the respondent no 1 to 3 to identify the persons who caused damage to public properties during unlawful protest with respect to the citizenship (amendment) act, 2019 and to recover the damages from them.*

*(b) To issue directions, thereby setting up an independent machinery to investigate the damage caused and to award compensation related thereto.*

*(c) Issue or pass any writ, direction or order, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.”*

2. The contention of the Petitioners herein is that a certain group of protesters damaged public property during protests with respect to the Citizenship (Amendment) Act, 2019 and, therefore, the Respondents may be directed to identify such persons who have caused the said damage to public property. The Petitioners also pray that an independent machinery may be set up to investigate the damage so that damage can be assessed and compensation can be paid.

3. Respondent No.3 has filed an affidavit in compliance of the Order dated 21.03.2022. The affidavit reveals that Hon'ble Mr. Justice Sunil Gaur, a former Judge of this Court has been appointed as the Claim Commissioner to investigate the damages, and to award compensation relating to the riots that took place during the protest, which are the subject matter of the present writ petition. The notification dated 13.04.2020 to that effect has been placed on record.

4. So far as the other aspect of registration of criminal cases is concerned, the affidavit reveals that Delhi Police has filed details of public property damaged during the protest and as many as 23 FIRs have been registered in the matter. The stage of criminal case has also been reflected in the chart. Further, Delhi Police has also quantified the damage caused to the private property as a result of the protests. It is stated that as many as 518

FIRs have been registered. Meaning thereby, the Police has already taken action in the matter.

5. In the considered opinion of this Court, once the Claim Commissioner has already been appointed and is dealing with the issue in question for grant of compensation and further considering that FIRs have been registered, no further orders are required to be passed in the present writ petition.

6. Accordingly, the petition is disposed of, along with pending application(s), if any.

**SATISH CHANDRA SHARMA, CJ**

**SUBRAMONIUM PRASAD, J**

**JANUARY 31, 2023**

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