

How will MCD function without monitoring panel, asks court

The Delhi High Court Thursday asked the Municipal Corporation of Delhi (MCD) to explain how it will function in the absence of the Monitoring Committee whose powers it has challenged.

A division bench of Justices Mukul Mudgal and Manmohan asked the MCD to explain by July 31 how will it manage affairs without the committee.

The court was hearing a case in which the civic agency has contended that the court-appointed committee and the commissioners should be disbanded.

"When the MCD is already there, what is the need of a parallel body like the Monitoring Committee?" Ravi Shankar Prasad argued before the bench of Justices A.K. Sikri and Rekha Sharma.

Hinting at a Supreme Court judge's December 2007 observation, in which the Delhi High Court hearings on the MCD's demolition drive were listed as one of the instances of 'judicial overreach', Prasad said the apex court had been long advocating a 'healthy respect for each organ of the government'.

He said: 'There is a clear demarcation of powers between the executive and the judiciary. This separation of powers has to be respected.'

Justice Sikri pointed out that the matter would not have reached the courts if the MCD had done its job.

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